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TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

[General Sugar Quota Regulations, Series 10, No. 1, Amdt. 2]

PART 821—SUGAR QUOTAS

SUGAR QUOTAS FOR 1948

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922) and the Administrative Procedure Act (60 Stat. 237) General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) as amended (13 F. R. 1303) establishing sugar quotas for 1948, are hereby further amended as hereinafter set forth.

Basis and purpose. The amendments herein are issued pursuant to the Sugar Act of 1948 and are made for the purpose of giving effect to the revision of the determination of sugar consumption requirements made by the Secretary of Agriculture on May 26, 1948.

After setting forth quotas in specific amounts for domestic sugar producing areas and the Republic of the Philippines, section 202 of the act provides that the difference between the sum of such quotas and the consumption estimate shall be prorated to foreign countries other than the Republic of the Philippines on the basis of stated percentages. Since the Sugar Act makes the revision of quotas a mere mathematical computation, it is hereby determined and found that compliance with the notice and procedure requirements of the Administrative Procedure Act is unnecessary. Furthermore, under section 202 of the Sugar Act, the Secretary of Agriculture is required promptly to revise existing quotas whenever there is a change in the determination of consumption requirements. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act is impracticable and contrary to the public interest and the amendments made herein shall become effective on the date of their publication in the FEDERAL REGISTER.

General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) as amended (13 F. R. 1303) are hereby further amended as follows:

1. Section 821.4 is changed to read:

§ 821.4 *Revised quotas for other areas.* There are hereby established, pursuant to subsections (b) and (c) of section 202 of the act, for foreign countries for the calendar year 1948, the following quotas:

Area	Quotas in terms of short tons, raw value
Republic of the Philippines.....	852,000
Cuba.....	1,726,200
Other Foreign Countries.....	23,600

2. Paragraph (a) of § 821.6 is changed to read:

§ 821.6 *Proration of quota for foreign countries other than Cuba and the Republic of the Philippines—(a) Revised prorations.* The quota for foreign countries other than Cuba and the Republic of the Philippines is hereby prorated, pursuant to subsection (c) of section 202 of the act, among such countries as follows:

Country	Prorations in pounds, raw value
Belgium.....	260,283
Canada.....	537,329
China and Hongkong.....	274,363
Czechoslovakia.....	250,769
Dominican Republic.....	6,350,823
Dutch East Indies.....	201,316
Guatemala.....	318,943
Haiti, Republic of.....	677,712
Honduras.....	3,269,055
Mexico.....	5,744,545
Netherlands.....	207,457
Nicaragua.....	9,734,120
Peru.....	10,584,673
Salvador.....	7,817,623
United Kingdom.....	333,903
Venezuela.....	270,183
Other Countries.....	40,832
Subtotal.....	47,160,000
Unallotted Reserve.....	500,000
Total.....	47,660,000

Statement of bases and considerations. The revised quotas for Cuba and "Other Foreign Countries" have been established by prorating the amount by which the revised estimate of consumption exceeds the quotas for domestic areas and the Philippines on the basis of 98.64 per centum to Cuba and 1.36 per centum to "Other Foreign Countries" as provided in section 202 (c) of the act. In addition, as provided in section 202 (c), the revised quota for "Other Foreign Countries" has been prorated on the basis of

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the prorations of such quota in effect for the calendar year 1937.

After giving effect to the changes set forth in General Sugar Quota Regulations, Series 10, No. 1, and Amendments 1 and 2 thereto, the current sugar quotas, in terms of short tons, raw value, for the several domestic sugar producing areas, Cuba, the Republic of the Philippines, and "Other Foreign Countries" are as follows:

Production area	Base quota	Proration of deficit in quota for Hawaii	Proration of deficit in quota for Philippines	Adjusted quota
Domestic beet.....	1,800,000	47,733	.....	1,847,733
Mainland cane.....	200,000	13,570	.....	213,570
Hawaii ¹	1,622,000	0 (152,000)	.....	500,000
Puerto Rico ²	610,000	24,124	.....	634,124
Virgin Islands.....	6,000	150	.....	6,150
Philippines ³	632,000	.....	632,000	250,000
Cuba.....	1,723,000	60,709	637,420	2,420,339
Foreign countries: ⁴				
Belgium.....	149.1	.....	103.5	233.6
Canada.....	223.7	.....	230.5	454.2
China and Hongkong.....	157.2	.....	104.3	331.5
Czechoslovakia.....	125.4	.....	177.6	303.0
Dominican Republic.....	3,173.4	.....	4,430.8	7,622.2
Dutch East Indies.....	160.7	.....	142.5	303.2
Guatemala.....	120.5	.....	225.8	346.3
Haiti, Republic of.....	455.8	.....	621.5	1,077.3
Honduras.....	1,024.5	.....	2,314.7	3,339.2
Mexico.....	2,672.3	.....	4,007.5	6,679.8
Netherlands.....	103.7	.....	143.0	246.7
Nicaragua.....	4,877.1	.....	6,892.4	11,769.5
Peru.....	3,223.3	.....	7,424.7	12,757.0
Salvador.....	3,003.8	.....	4,023.3	9,447.1
United Kingdom.....	167.0	.....	221.6	388.6
Venezuela.....	173.1	.....	195.6	368.7
Other Countries.....	29.4	.....	25.9	55.3
Unallotted.....	23,450.0	.....	23,230.0	50,000.0
Subtotal.....	23,800.0	.....	24,000.0	53,400.0
Total.....	7,600,000.0	.....	.....	7,600,000.0

¹ Of Hawaii's adjusted quota, 23,610 tons may be direct-consumption sugar.

² Of Puerto Rico's adjusted quota, 123,933 tons may be direct-consumption sugar.

³ Of the Philippines's adjusted quota, 632,000 tons may be direct-consumption sugar.

⁴ Of Cuba's total adjusted quota, 375,000 tons may be direct-consumption sugar.

⁵ Original quotas for "All other foreign countries" may be filled with direct-consumption or with raw sugar.

⁶ Deduct this amount from original quota.

(Secs. 202, 403, Pub. Law 388, 80th Cong., 61 Stat. 922)

Done at Washington, D. C., this 4th day of June 1948. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F BRANNAN,
Secretary.

[F. R. Doc. 48-5161; Filed, June 9, 1948;
8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 981—IRISH POTATOES GROWN IN SOUTHEASTERN STATES

LIMITATION OF SHIPMENTS

§ 981.302 *Potatoes; limitation of shipments, Southeastern States; Regulation 2—(a) Findings.* (1) Pursuant to the marketing agreement and Order No. 81 (13 F. R. 2709) regulating the handling of potatoes grown in the Southeastern States production area, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Southeastern Potato Committee, established under the said marketing agreement and said order, and upon other available information, it is hereby found that the limitation of shipments of such potatoes as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance. This order relieves some of the restrictions on potato shipments from the Southeastern States Production Area imposed by the provisions in § 981.301 (13 F. R. 2965) which is hereinafter terminated.

(b) *Order* (1) The provisions of § 981.301 are hereby terminated as of the effective date of this section.

(2) During the period beginning June 8, 1948, and ending 12:01 a. m., e. s. t., August 15, 1948, no handler shall ship any potatoes grown in the Southeastern States production area unless such potatoes meet the requirements of U. S. No. 1 grade, as such grade is defined in the United States Standards for Potatoes (12 F. R. 3651) except that the tolerances for defects for the aforesaid U. S. No. 1 grade shall be, for purposes of determining whether such potatoes may be shipped hereunder, as follows: not more than 15 percent may be damaged, of which not to exceed one-third,

or a total of 5 percent, may be seriously damaged, including not more than 1 percent for soft rot or wet breakdown: *Provided*, That as recommended by the Southeastern Potato Committee pursuant to § 981.6 (c) there shall be no limitation of the shipment of potatoes for export, except that the aforesaid committee may prescribe appropriate procedures applicable to such shipments for export as provided by § 981.6 (c) of Order No. 81.

(3) As used in this section the terms "handler" "ship" and "export," shall have the same meaning as when used in Marketing Order No. 81. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 202, 707; 7 U. S. C. 601 et seq., 13 F. R. 2709)

Done at Washington, D. C., this 8th day of June 1948.

[SEAL] M. W. BAKER,
Acting Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-5277; Filed, June 9, 1948;
11:47 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51934]

PART 3—DOCUMENTATION OF VESSELS

RECORDING OF BILLS OF SALE AND MORTGAGES

Section 3.33 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 3.33 (a)) is amended by inserting before the period at the end thereof a comma and the following: "or any other official thereof duly authorized by such corporation to execute any such declaration"

(R. S. 161, sec. 2, 23 Stat. 118, sec. 4, 40 Stat. 902; Pub. Law 518, 80th Cong., 5 U. S. C. 22, 46 U. S. C. 2, 838; sec. 102, Reorg. Plan No. 3 of 1946; 11 F. R. 7875, 3 CFR, 1946 Supp., ch. IV)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: June 3, 1948.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5200; Filed, June 9, 1948;
8:58 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation, Federal Security Agency

PART 04—DELEGATIONS OF AUTHORITY

CHIEF OF AMERICAN MISSION FOR AID TO GREECE

Paragraph (b) of § 04.11, Subpart B of this chapter, is hereby amended by adding thereto the following new subparagraph:

§ 04.11 *Delegations of authority.*

* * *
(b) * * *

(7) Chief of the American Mission for Aid to Greece in Greece.

(Sec. 42, 39 Stat. 750, 56 Stat. 725, sec. 4, 59 Stat. 503; 5 U. S. C. 793; sec. 3, Reorg. Plan No. 2 of 1946; 11 F. R. 7873, 3 CFR, 1946 Supp., Ch. IV)

Dated: June 3, 1948.

[SEAL] JEWELL W SWOFFORD,
Commissioner for Special Services.

Approved: June 4, 1948.

OSCAR R. EWING,
Federal Security Administrator

[F. R. Doc. 48-5170; Filed, June 9, 1948;
8:52 a. m.]

Subchapter A—United States Employees' Compensation Act

PART 25—COMPENSATION FOR DISABILITY AND DEATH OF NON-CITIZENS OUTSIDE THE UNITED STATES

Part 25 of Subchapter A of this chapter, is hereby amended by deleting the contents thereof, and by substituting the following therefor:

SUBPART A—GENERAL PROVISIONS

- Sec. 25.1 General statement.
- 25.2 General adoption of local law.
- 25.3 General provisions relating to special schedule.
- 25.4 Authority to settle and pay claims.

SUBPART B—SPECIAL SCHEDULE OF COMPENSATION

- 25.11 Compensation for disability.
- 25.12 Compensation for death.
- 25.13 General provisions.

SUBPART C—EXTENSIONS OF SPECIAL SCHEDULE OF COMPENSATION

- 25.21 Philippine Islands.
- 25.22 Australia.
- 25.23 Non-citizen employees of Office of Strategic Services and Strategic Services Unit.

AUTHORITY: §§ 25.1 to 25.23, inclusive, issued under section 42, 39 Stat. 750, as amended; 5 U. S. C. 793, sec. 3, Reorg. Plan 2 of 1946, 11 F. R. 7873, 3 CFR, 1946, Supp., Ch. IV.

SUBPART A—GENERAL PROVISIONS

§ 25.1 *General statement.* The provisions of this part shall apply in respect to compensation, under the United States Employees' Compensation Act, payable only to employees of the United States who are neither citizens nor residents of the United States, any Territory, or Canada, or payable to any dependents of such employees. It has previously been determined, pursuant to section 42 of such act, that the amount of compensation, as provided under such act, is substantially disproportionate to the compensation for disability or death which is payable in similar cases under local law, regulation, custom, or otherwise, in areas outside the United States, any Territory, or Canada. Therefore, in respect to cases of such employees whose injury (or injury resulting in death) has occurred subsequent to December 7, 1941, or may occur, the following provisions shall be applicable.

§ 25.2 *General adoption of local law.*
(a) Pursuant to the provisions of section

42 of such act, the benefit features of local workmen's compensation laws, or provisions in the nature of workmen's compensation, in effect in the areas referred to in § 25.1, shall, effective as of December 7, 1941, by adoption and adaptation, as recognized by the Director, Bureau of Employees' Compensation, apply in the cases of the employees specified in § 25.1, *Provided however* That there is not established and promulgated under this part, for the particular locality, or for a class of employees in the particular locality, a special schedule of compensation for injury or death.

(b) The benefit provisions as thus adopted or adapted are those dealing with the money payments for injury and death (including provisions dealing with medical, surgical, hospital and similar treatment and care) as well as those dealing with services and purposes forming an integral part of the local plan, provided they are of a kind or character similar to services and purposes authorized by the Employees' Compensation Act. Procedural provisions, designations of classes of beneficiaries in death cases, limitations (except those affecting amounts of benefit payments) and any other provisions not directly affecting the amounts of the benefit payments, in such local plans, shall not apply, but in lieu thereof the pertinent provisions of the Employees' Compensation Act shall apply, unless modified by further specification in this section.

(c) Compensation in all cases of such employees paid and closed prior to the effective date of the regulations in this part shall be deemed compromised and paid under section 42 of such act; in all other cases compensation may be adjusted to conform with the regulations in this part, or the beneficiary may by compromise or agreement with the Bureau have compensation continued on the basis of a previous adjustment of the claim.

§ 25.3 *General provisions relating to special schedule.* The special schedule established by Subpart B of this part is intended as the vehicle of general basic provisions, to be adapted, with such modifications as may be necessary, and as local conditions outside the United States require. The application of this special schedule will be by specific and appropriate provision in the regulations in this part, such provision specifying the locality to which applied, and the particular modifications of or additions to the schedule, as may be made.

§ 25.4 *Authority to settle and pay claims.* In addition to the authority to receive, process and pay claims, when delegated in § 04.11, such representative or agency receiving delegation of authority by such § 04.11, shall, in respect to cases adjudicated under this part, and when so authorized by the Director, have authority (a) to make lump sum awards (in the manner prescribed by section 14 of such act) whenever such authorized representative shall deem such settlement to be for the best interest of the United States, and (b) to compromise and pay claims for any benefits provided for under this part, including claims in which there is a dispute as to jurisdic-

tion or other facts, or questions of law. The Director shall, in administrative instructions to the particular representative concerned, establish such procedures in respect to action under this section as may be deemed necessary, and may specify the scope of any administrative review of such action.

SUBPART B—SPECIAL SCHEDULE OF COMPENSATION

§ 25.11 *Compensation for disability.* Compensation for disability shall be paid to the employee as follows:

(a) *Permanent total disability.* In case of disability, total in character and permanent in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(b) *Temporary total disability.* In case of disability, total in character and temporary in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(c) *Permanent partial disability.* In case of disability, partial in character and permanent in quality, 66⅔ per centum of the monthly pay, for the following losses and periods:

(1) Arm lost, 280 weeks' compensation.

(2) Leg lost, 248 weeks' compensation.

(3) Hand lost, 212 weeks' compensation.

(4) Foot lost, 173 weeks' compensation.

(5) Eye lost, 140 weeks' compensation.

(6) Thumb lost, 51 weeks' compensation.

(7) First finger lost, 28 weeks' compensation.

(8) Great toe lost, 26 weeks' compensation.

(9) Second finger lost, 18 weeks' compensation.

(10) Third finger lost, 17 weeks' compensation.

(11) Toe, other than great toe, lost, 8 weeks' compensation.

(12) Fourth finger lost, 7 weeks' compensation.

(13) Loss of hearing: One ear, 52 weeks' compensation; both ears, 200 weeks' compensation.

(14) *Phalanges:* Compensation for loss of more than one phalanx of a digit shall be the same as for the loss of the entire digit. Compensation for loss of the first phalanx shall be one-half of the compensation for the loss of the entire digit.

(15) *Amputated arm or leg:* Compensation for an arm or a leg, if amputated at or above the elbow or the knee, shall be the same as for the loss of the arm or leg; but, if amputated between the elbow and the wrist, or between the knee and the ankle, the compensation shall be the same as for the loss of the hand or the foot.

(16) *Binocular vision or per centum of vision:* Compensation for loss of binocular vision, or for 80 per centum or more of the vision of an eye shall be the same as for loss of the eye.

(17) *Two or more digits:* Compensation for loss of two or more digits, one or more phalanges of two or more digits, of a hand or foot may be proportioned

to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for the loss of a hand or a foot.

(18) *Total loss of use:* Compensation for permanent total loss of use of a member shall be the same as for loss of the member.

(19) *Partial loss or partial loss of use:* Compensation for permanent partial loss or loss of use of a member may be for proportionate loss of use of the member.

(20) *Consecutive awards:* In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member, set forth in subparagraphs (1) to (19) inclusive, of this paragraph but not amounting to permanent total disability, the award of compensation shall be for the loss or loss of use of each such member or part thereof, which awards shall run consecutively, except that where the injury affects only two or more digits of the same hand or foot, subparagraph (17) of this paragraph shall apply.

(21) *Other cases:* In all other cases within this class of disability the compensation during the continuance of disability shall be that proportion of compensation for permanent total disability, as determined under paragraph (2) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

(22) *Compensation under subparagraph (1) to (21) inclusive, of this paragraph for permanent partial disability, shall be in addition to any compensation for temporary total or temporary partial disability under this section, and awards for temporary total, temporary partial, and permanent partial disability shall run consecutively.*

(d) *Temporary partial disability.* In case of disability, partial in character and temporary in quality, during the continuance of disability that proportion of compensation for temporary total disability, as determined under paragraph (b) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

§ 25.12 *Compensation for death.* If the disability causes death the compensation shall be payable in the amount, and to or for the benefit of the persons, determined as follows:

(a) To the undertaker or person entitled to reimbursement, reasonable funeral expenses not exceeding \$200.

(b) To the widow, if there is no child, 35 per centum of the monthly pay until her death or remarriage.

(c) To the widower, if there is no child and if wholly dependent for support upon the deceased employee at the time of her death, 35 per centum of the monthly pay until his death or remarriage.

(d) To the widow or widower, if there is a child, the compensation payable under paragraph (b) or (c) of this section, and in addition thereto 10 per centum of the monthly wage for each child, not to exceed a total of 66⅔ per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the com-

pensation payable on account of such child shall be paid to such guardian. The compensation of any child shall cease when he dies, marries, or reaches the age of 18 years, or if over such age, and incapable of self-support, becomes capable of self-support.

(e) To the children, if there is no widow or widower, 25 per centum of such monthly pay for one child and 10 per centum thereof for each additional child, not to exceed a total of 66⅔ per centum thereof, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries, or reaches the age of 18, or if over such age, and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to its guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(f) To the parents, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, 25 per centum of such monthly pay, if both are wholly dependent, 20 per centum thereof to each; if one is or both are partly dependent, a proportionate amount in the discretion of the Bureau. The compensation to a parent or parents in the percentages specified shall be paid if there is no widow, widower, or child, but if there is a widow, widower, or child, there shall be paid so much of such percentages for a parent or parents, as, when added to the total of the percentages of the widow, widower, and children, will not exceed a total of 66⅔ per centum of such pay.

(g) To the brothers, sisters, grandparents, and grandchildren, if one is wholly dependent upon the deceased employee for support at the time of his death, 20 per centum of such pay to such dependent; if more than one are wholly dependent, 30 per centum of such pay, divided among such dependents share and share alike; if there is no one of them wholly dependent, but one or more are partly dependent, 10 per centum of such pay divided among such dependents share and share alike. The compensation to such beneficiaries shall be paid if there is no widow, widower, child, or dependent parent. If there is a widow, widower, child, or dependent parent, there shall be paid so much of the above percentages as, when added to the total of the percentages payable to the widow, widower, children, and dependent parents, will not exceed a total of 66⅔ per centum of such pay.

(h) The compensation of each beneficiary under paragraphs (f) and (g) of this section shall be paid until he, if a parent or grandparent, dies, marries, or ceases to be dependent, or, if a brother, sister, or grandchild, dies, marries, or reaches the age of 18 years, or if over such age and incapable of self-support becomes capable of self-support. The compensation of a brother, sister, or grandchild under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(i) Upon the cessation of any person's compensation for death under this subpart, the compensation of any remaining person entitled to the continuation of compensation in the same case shall be adjusted, so that the continuing compensation shall be at the same rate such person would have received, had no award been made to the person whose compensation was terminated.

(j) In case there are two or more classes of persons entitled to compensation for death under this subpart, and the apportionment of such compensation as above provided would result in injustice, the Bureau may in its discretion modify the apportionments to meet the requirements of the case.

§ 25.13 *General provisions.* (a) The definitions of terms in the Employees' Compensation Act of September 7, 1916, as amended, shall apply to terms used in this subpart.

(b) The provisions of such act unless modified by this subpart, or unless otherwise inapplicable, shall be applied whenever possible in the application of this subpart.

(c) The provisions of the regulations of the Bureau for the administration of such act of September 7, 1916, as amended (Code of Federal Regulations, Title 20, Chapter I, Subchapter A) as supplemented from time to time by instructions applicable to this subpart, shall apply in the administration of compensation under this subpart, whenever they can reasonably be applied.

SUBPART C—EXTENSIONS OF SPECIAL SCHEDULE OF COMPENSATION

§ 25.21 *Philippine Islands.* (a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, as of December 8, 1941, in the Philippine Islands, and shall be applied retrospectively in cases of injury (or death from injury) occurring on and after such date. Compensation in all cases pending as of July 9, 1946, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to July 9, 1946, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any case shall not exceed the sum of \$50.

§ 25.22 *Australia.* (a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, as of December 8, 1941, in Australia, and shall be applied retrospectively, in cases of injury (or death from injury) occurring

on and from such date. Compensation in all cases pending as of July 15, 1946, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to July 15, 1946, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any case shall not exceed the sum of \$50.

§ 25.23 *Non-citizen employees of Office of Strategic Services and Strategic Services Unit.* (a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, to non-citizen and non-resident employees of the Office of Strategic Services and Strategic Services Unit, War Department, as of December 7, 1941, and shall be applied retrospectively, in cases of injury (or death from injury) occurring on or after such date. Compensation in all cases pending December 1, 1947, shall be readjusted accordingly, with credit taken in any amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to December 1, 1947, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section for injury or death or both, shall not exceed the sum of \$5,000, exclusive of medical costs. The maximum monthly rate of compensation in any case shall not exceed the sum of \$50. The compensation of a parent, brother, sister, grandparent or grandchild shall be paid for a period of eight years from the time of death, unless before that time he, if a parent or grandparent, dies, marries, or ceases to be dependent, or, if a brother, sister, or grandchild, dies, marries, or reaches the age of 18 years, or, if over 18 years and incapable of self-support, becomes capable of self-support. The commutation of compensation in case of injury shall be made as of the date of the injury, and in case of death, as of the date of death.

Dated: June 3, 1948.

[SEAL] JEWELL W SWOFFORD,
Commissioner for Special Services.

Approved: June 4, 1948.

OSCAR R. EWING,
Federal Security Administrator

[F. R. Doc. 48-5172; Filed, June 9, 1948;
8:53 a. m.]

Chapter II—Railroad Retirement Board

PART 319—PROCEDURE FOR ISSUANCE OF CERTIFICATE OF AWARD OF BENEFITS AND FOR DETERMINING LIABILITY FOR CONTRIBUTIONS

MISCELLANEOUS AMENDMENTS

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1107; 45 U. S. C. 362 (1)) the title to Part 319 is amended as set forth above, and § 319.0 is amended, and § 319.96 is added to the regulations under such act (7 F. R. 4774) by Board Order 48-183, dated May 26, 1948, effective immediately, to read as follows:

§ 319.0 *Statutory provisions.* (a) Subsection (c) of section 5 of the Railroad Unemployment Insurance Act provides in part:

Any claimant whose claim for benefits has been denied in an initial determination with respect thereto upon the basis of his not being a qualified employee, and any claimant who contends that under an initial determination of his claim he has been awarded benefits at less than the proper rate, may appeal to the Board for the review of such determination. Thereupon the Board shall review the determination and for such review may designate one of its officers or employees to receive evidence and to report to the Board thereon together with recommendations. In any such case the Board or the person so designated shall, by publication or otherwise, notify all parties properly interested of their right to participate in the proceeding and, if a hearing is to be held, of the time and place of the hearing. At the request of any party properly interested the Board shall provide for a hearing, and may provide for a hearing on its own motion. The Board shall prescribe regulations governing the appeals provided for in this paragraph and for decisions upon such appeal.

In any case in which benefits are awarded to a claimant in whole or in part upon the basis of pay earned in the service of a person or company found by the Board to be an employer as defined in this Act but which denies that it is such an employer, such benefits awarded on such basis shall be paid to such claimant subject to a right of recovery of such benefits. The Board shall thereupon designate one of its officers or employees to receive evidence and to report to the Board on whether such benefits should be repaid. The Board may also designate one of its officers or employees to receive evidence and report to the Board whether or not any person or company is entitled to a refund of contributions or should be required to pay contributions under this Act, regardless of whether or not any claims for benefits will have been filed upon the basis of service in the employ of such person or company, and shall follow such procedure if contributions are assessed and payment is refused or payment is made and a refund claimed upon the basis that such person or company is or will not have been liable for such contributions. In any such case the Board or the person so designated shall, by publication or otherwise, notify all parties properly interested of their right to participate in the proceeding and, if a hearing is to be held, of the time and place of the hearing. At the request of any party properly interested the Board shall provide for a hearing, and may provide for a hearing on its own motion. The Board shall prescribe regulations governing the proceedings provided for in this paragraph and for decisions upon such proceedings.

Final decision of the Board in the cases provided for in the preceding two paragraphs shall be communicated to the claimant and to the other interested parties within fifteen days after it is made. Any properly interested party notified, as hereinabove provided, of his right to participate in the proceedings may obtain a review of any such decision by which he claims to be aggrieved or the determination of any issue therein in the manner provided in subsection (f) of this section with respect to the review of the Board's decisions upon claims for benefits and subject to all provisions of law applicable to the review of such decisions. Subject only to such review, the decision of the Board upon all issues determined in such decision shall be final and conclusive for all purposes and shall conclusively establish all rights and obligations arising under this act, of every party notified as hereinabove provided of his right to participate in the proceedings.

(b) Subsection (e) of section 5 of the Railroad Unemployment Insurance Act provides:

(e) In any proceeding other than a court proceeding, the rules of evidence prevailing in courts of law or equity shall not be controlling, but a full and complete record shall be kept of all proceedings and testimony, and the Board's final determination, together with its findings of fact and conclusions of law in connection therewith, shall be communicated to the parties within fifteen days after the date of such final determination.

(c) Subsection (f) of section 5 of the Railroad Unemployment Insurance Act provides in part:

(f) Any claimant, or any railway labor organization organized in accordance with the provisions of the Railway Labor Act, of which claimant is a member, or any other party aggrieved by a final decision under subsection (e) of this section, may, only after all administrative remedies within the Board will have been availed of and exhausted, obtain a review of any final decision of the Board by filing a petition for review within ninety days after the mailing of notice of such decision to the claimant or other party, or within such further time as the Board may allow, in the United States circuit court of appeals for the circuit in which the claimant or other party resides or will have had his principal place of business or principal executive office, or in the United States Circuit Court of Appeals for the Seventh Circuit or in the Court of Appeals for the District of Columbia. A copy of such petition, together with initial process, shall forthwith be served upon the Board or any officer designated by it for such purpose. Service may be made upon the Board by registered mail addressed to the Chairman. Within fifteen days after receipt of service, or within such additional time as the court may allow, the Board shall certify and file with the Court in which such petition has been filed a transcript of the record upon which the findings and decision complained of are based. Upon such filing the court shall have exclusive jurisdiction of the proceeding and of the question determined therein, and shall give precedence in the adjudication thereof over all other civil cases not otherwise entitled by law to precedence. It shall have power to enter upon the pleadings and transcript of the record a decree affirming, modifying, or reversing the decision of the Board, with or without remanding the cause for rehearing. The findings of the Board as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive. No additional evidence shall be received by the court, but the court may order addi-

tional evidence to be taken before the Board, and the Board may, after hearing such additional evidence, modify its findings of fact and conclusions and file such additional or modified findings and conclusions with the court, and the Board shall file with the court a transcript of the additional record. The judgment and decree of the court shall be final, subject to review as in equity cases.

§ 319.96 *Procedure for determining liability for contributions.* (a) The Board may designate one of its officers or employees as examiner to receive evidence and report to the Board whether or not any person or company is entitled to a refund of contributions or should be required to pay contributions under the Railroad Unemployment Insurance Act. Such procedure shall be followed if contributions are assessed and payment is refused or payment is made and a refund claimed upon the basis that such person or company is or will not have been liable for such contributions. The examiner shall have power to hold hearings, require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations. At the request of any party properly interested, the Board shall provide for a hearing before such examiner, and may provide for a hearing on its own motion. The examiner shall, by publication or otherwise, notify all parties properly interested of their right to participate in the proceeding and, if a hearing is to be held, of the time and place of the hearing.

(b) All evidence and argument presented by any party, and all evidence developed by the examiner, shall be preserved and shall constitute a part of the record. All oral evidence presented at any hearing, and all oral argument, shall be reduced to writing. The record at any time shall be available for examination by any properly interested party or his representative.

(c) Upon the completion of any proceeding, the examiner shall, upon the basis of the entire record, render a report to the Board as soon as practicable, and within five days after the making thereof shall send a copy of the report to each party appearing in the proceeding by mailing such copy to him at the address stated in his appearance. Such report shall contain a statement of (1) the issue or issues raised, (2) the evidence submitted, (3) findings of fact, (4) conclusions of law, and (5) a recommended determination.

(d) Any party to the proceeding may, within twenty days after the mailing to him of a copy of the examiner's report, file with the Board, and serve upon other parties by mailing to their addresses as stated in their appearance, such exceptions in writing as he desires to make to the examiner's findings of fact and conclusions of law. Each exception shall specifically designate the particular finding of fact or conclusion of law to which exception is taken, and shall set forth in detail the grounds of the exception. General exceptions and exceptions not specifically directed to particular findings of fact or conclusions of law will not be considered. Each party shall have ten days after the receipt of exceptions

taken by other parties' in which to file with the Board replies to the exceptions. The Board may, upon the application of any party and for cause shown, extend the time for filing and serving of exceptions or filing of replies thereto. The examiner's report shall be advisory but shall be presumed to be correct. Findings of fact to which no exceptions are taken will, subject only to the power of the Board to reject or modify, stand confirmed.

(e) The Board will render its decision upon the record and upon the basis of the examiner's report and such exceptions and replies thereto as are made. Further argument will not be permitted except upon a showing by any party that he has arguments to present which for valid reasons he was unable to present at an earlier stage, and in cases in which the Board requests further elaboration of arguments. In such cases, the further argument shall be submitted orally or in writing, as the Board may indicate in each case, and shall be subject to such restrictions as to form, subject matter, length, and time as the Board may indicate. The decision of the Board will be communicated to all parties to the proceeding within fifteen days after it has been made by mailing a copy of the decision to each such party at the address furnished by him.

(f) The decision of the Board, with respect to all issues determined therein, shall be final and conclusive for all purposes, and shall conclusively establish all rights and obligations, arising under any act administered by the Board, of every person notified of his right to participate in the proceeding.

(g) Any properly interested party notified of his right to participate in the proceeding may, as provided in section 5 (c) of the Railroad Unemployment Insurance Act, and in accordance with the provisions of section 5 (f) of the act, obtain judicial review of a final decision of the Board, under this section, by which he claims to be aggrieved, by filing a petition for review in the proper court within ninety days after the mailing to him of notice of such decision, or within such further time as the Board may allow. Such petition for review must be filed in the United States circuit court of appeals for the circuit in which the party resides or will have had his principal place of business or principal executive office, or in the United States Circuit Court of Appeals for the Seventh Circuit or in the Court of Appeals for the District of Columbia.

(h) Insofar as applicable and not inconsistent with the preceding provisions of this section, the provisions of §§ 250.7 through 250.16 of this chapter shall be followed in any proceeding under this section.

(Sec. 12, 52 Stat. 1107; 45 U. S. C. 362 (1))

Dated: June 3, 1948.

By authority of the Board.

[SEAL]

MARY B. LINKINS,
Secretary of the Board.

[F. R. Doc. 48-5156; Filed, June 9, 1948;
8:50 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Economic Cooperation Administration

[ECA Reg. 1, Amdt. 1]

PART 1111—MEANS OF PAYMENT FOR PROCUREMENT

LETTER OF COMMITMENT TO BANKING INSTITUTIONS

Preamble: The following amendment has been approved by the Secretary of the Treasury.

Paragraph 3 of the Terms and Provisions annexed to the Form of Administrator's Letter of Commitment to Banking Institution (Exhibit B) which appeared at 13 F. R. 2655, is amended by changing the parenthetical clause in the second and third lines from "(but in no event later than four months)" to "(but in no event later than thirty days)"

(Sec. 111 (b) (1) Pub. Law 472, 80th Cong.)

PAUL G. HOFFMAN,
Administrator for
Economic Cooperation.

[F. R. Doc. 48-5224; Filed, June 9, 1948;
9:00 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

Amendment 30 to the Controlled Housing Rent Regulation.¹ The Controlled Housing Rent Regulation (§ 825.1) is amended in the following respect:

1. Schedule A, item 244 (b) is amended to describe the defense-rental area under the Controlled Housing Rent Regulation as follows: "All of Tillman County south of the base line between Townships 1 South and 2 South."

This amendment shall become effective June 8, 1948.

Issued this 8th day of June, 1948.

ED DUPREE,
Acting Housing Expediter

Statement To Accompany Amendment 30 to the Controlled Housing Rent Regulation

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of Tillman County north of the base line between Townships 1 South and 2 South in the Frederick, Oklahoma, defense-rental area no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met, and this amendment is therefore being issued to decontrol said portion of

¹ 12 F. R. 4331, 5421, 5454, 5697, 6027, 6686, 6923, 7111, 7630, 7825, 7998, 8660; 13 F. R. 6, 62, 181, 216, 294, 321, 442, 476, 497, 523, 828, 861, 1118, 1628, 1793, 1861, 1927, 1929.

county in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-5223; Filed, June 8, 1948;
3:28 p. m.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

Amendment 31 to the Controlled Housing Rent Regulation.¹ The Controlled Housing Rent Regulation (§ 825.1) is amended in the following respect:

1. Schedule A, item 336, is amended to describe the counties in the defense-rental area under the Controlled Rent Regulation for Housing as follows:

Utah—Salt Lake
Utah—Tooele

This amendment shall become effective June 8, 1948.

Issued this 8th day of June 1948.

ED DUPREE,
Acting Housing Expediter

Statement To Accompany Amendment 31 to the Controlled Housing Rent Regulation

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of the Salt Lake City Defense-Rental Area situated in the State of Nevada no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met, and this amendment is therefore being issued to decontrol said portion of the area in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-5222; Filed, June 8, 1948;
3:27 p. m.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATIONS FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

Amendment 30 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.¹ The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§ 825.5) is amended in the following respect:

1. Schedule A, item 244 (b) is amended to describe the defense-rental area under the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments as follows: "All of Till-

¹ 12 F. R. 4331, 5421, 5454, 5697, 6027, 6687, 6923, 7111, 7630, 7825, 7999, 8660; 13 F. R. 6, 62, 180, 216, 294, 322, 441, 475, 476, 498, 523, 827, 861, 1118, 1628, 1793, 1861, 1927, 1929.

² 12 F. R. 4302, 5423, 5457, 5699, 6027, 6686, 6923, 7111, 7630, 7825, 7998, 8660; 13 F. R. 6, 62, 181, 216, 294, 321, 442, 476, 497, 523, 828, 861, 1119, 1627, 1793, 1873, 1929.

man County south of the base line between Townships 1 South and 2 South."

This amendment shall become effective June 8, 1948.

Issued this 8th day of June 1948.

ED DUPREE,
Acting Housing Expediter

*Statement to Accompany Amendment 30
To Rent Regulations for Controlled
Rooms in Rooming Houses and Other
Establishments*

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of Tillman County north of the base line between Townships 1 South and 2 South in the Frederick, Oklahoma, defense-rental area no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met, and this amendment is therefore being issued to decontrol said portion of county in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-5220; Filed, June 8, 1948;
3:26 p. m.]

**PART 825—RENT REGULATIONS UNDER THE
HOUSING AND RENT ACT OF 1947, AS
AMENDED**

**RENT REGULATIONS FOR CONTROLLED ROOMS
IN ROOMING HOUSES AND OTHER ESTAB-
LISHMENTS**

Amendment 31 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.¹ The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§ 825.5) is amended in the following respect:

1. Schedule A, item 336, is amended to describe the counties in the defense-rental area under the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments as follows:

Utah—Salt Lake
Utah—Tooele

This amendment shall become effective June 8, 1948.

Issued this 8th day of June 1948.

ED DUPREE,
Acting Housing Expediter.

*Statement to Accompany Amendment 31
To the Rent Regulation for Controlled
Rooms in Rooming Houses and Other
Establishments*

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of the Salt Lake City Defense-Rental Area situated in the State of Nevada no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met, and this amendment is therefore being issued to decon-

¹ 12 F. R. 4302, 5423, 5457, 5699, 6027, 6686, 6923, 7111, 7630, 7825, 7998, 8600; 13 F. R. 6, 62, 181, 216, 294, 321, 442, 476, 497, 523, 828, 861, 1119, 1627, 1793, 1873, 1929.

trol said portion of the area in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-5221; Filed, June 8, 1948;
3:27 p. m.]

TITLE 26—INTERNAL REVENUE

**Chapter I—Bureau of Internal Revenue,
Department of the Treasury**

**Subchapter C—Miscellaneous Excise Taxes
(T. D. 5620)**

PART 186—GAUGING MANUAL

MISCELLANEOUS AMENDMENTS

1. The purpose of this amendment is to authorize the storekeeper-gauger, in lieu of the district supervisor, to prepare the label to be affixed to the head of the new package where a change of package is made in the internal revenue bonded warehouse to prevent loss by leakage or to effect a change in the kind of cooperation.

2. Because the provisions of this Treasury decision relate to duties of Bureau personnel, not affecting the warehouseman, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of the said act.

3. Paragraphs 64 and 67 of the Gauging Manual, approved November 21, 1938 (26 CFR, 186.64, 186.67) are hereby amended to read as follows:

**CHANGE OF PACKAGE IN INTERNAL REVENUE
BONDED WAREHOUSE TO PREVENT LOSS
BY LEAKAGE**

§ 186.64 *Report to supervisor.* The storekeeper-gauger will take the tare of the new package before transfer of the spirits, and upon completion of the transfer will prepare and sign a label to be affixed to the head of the new package in the manner herein prescribed for the affixing of tax-paid stamps. The label shall be in the following form:

The spirits contained in this package, serial No. —, were transferred to new barrel under date of —. Upon withdrawal of this package, the storekeeper-gauger will determine the total tare by adding the soakage allowance to — pounds, the weight of this barrel before spirits were placed therein, unless actual tare is taken.

(Storekeeper-gauger)
District No. —

Allowance for soakage will be made only for the new barrel when withdrawn. No allowance will be made for soakage in the original barrel.

**CHANGE IN KIND OF COOPERAGE IN INTERNAL
REVENUE BONDED WAREHOUSE**

§ 186.67 *Label on new package.* Each new package will be given the same serial number, marks, and brands as the original package, and will contain only spirits from one package. The storekeeper-gauger will take the tare of the new package before the transfer, and upon completion of the transfer will prepare and sign a label to be affixed by the proprietor

to the head of each new package in the manner herein prescribed for the affixing of tax-paid stamps. The label shall be in the following form:

The spirits contained in this package, serial No. — were transferred to new — (kind of cooperage) barrel under date of — by authority of Department letter dated —.

The package from which the spirits herein were transferred was a — (kind of cooperage) barrel. Upon withdrawal of this package the storekeeper-gauger will determine the total tare by adding the soakage allowance to — pounds, the weight of this barrel before spirits were placed therein, unless actual tare is taken.

(Storekeeper-gauger)
District No. —

Allowance for soakage will be made only for the new barrel when withdrawn. No allowance will be made for soakage in the original barrel.

4. This Treasury decision shall be effective upon publication in the FEDERAL REGISTER.

(Secs. 2803, 3176, 53 Stat. 307, 375; 26 U. S. C. 2803, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner.

Approved: June 4, 1948.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 48-5204; Filed, June 9, 1948;
8:59 a. m.]

TITLE 30—MINERAL RESOURCES

**Chapter II—Geological Survey,
Department of the Interior**

**PART 227—DEFINITIONS OF KNOWN GEO-
LOGIC STRUCTURES OF PRODUCING OIL
AND GAS FIELDS**

NEW MEXICO AND WYOMING

Paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.) is hereby supplemented to read as follows:

§ 227.0 *Outstanding definitions.*

(c) Effective, as of the dates shown below, the following structures had been defined:

Name of Field, Effective Date and Acreage
(5) New Mexico

Hale Field (Revision), March 10, 1942. 240
PCA Field (Revision), March 10, 1942. 1,030

(9) Wyoming

Dubois Field, March 23, 1946. 160
Sand Creek Field, September 8, 1947. 1,634

(20 Stat. 394, 41 Stat. 450; 43 U. S. C., 31, 30 U. S. C., 189)

THOMAS B. NOLAN,
Acting Director.

[F. R. Doc. 48-5144; Filed, June 9, 1948;
8:48 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service,
Department of the Interior

PART 01—ORGANIZATION AND PROCEDURE

DELEGATIONS OF AUTHORITY

CROSS REFERENCE: For additions to the list of delegations of authority contained in §§ 01.50 to 01.54, inclusive, see Title 43, Part 4, *infra*, authorizing the Director of the National Park Service to: (1) permit the collection of scientific specimens in areas administered by the Service, (2) accept donations of money for the purposes of the national park and monument system, and (3) accept offers in settlement of timber trespasses.

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING

GENERAL PROHIBITIONS AND RESTRICTIONS

In Part 127, Title 39, Code of Federal Regulations, make the following changes:

1. Strike out § 127.61 *Paints, varnishes, turpentine, and similar substances* (13 F. R. 916) and insert in lieu thereof the following:

§ 127.61 *Combustible liquids*. Combustible liquids having a flash point of 150 degrees or lower but above 60° F may be sent to foreign countries generally in quantities not exceeding one quart in any one parcel, except that paints, varnishes, turpentine and similar substances may be sent in quantities of less than one gallon in any one parcel.

Before accepting a parcel containing a combustible liquid for a foreign country, postmasters shall exercise particular care to see that it is packed as prescribed in § 127.71, and that the country of destination does not prohibit liquids of the flash point concerned. Great Britain in particular forbids the admission of any liquid having a flash point below 200° F by parcel post, or below 90° F as a sample of merchandise.

The wrapper of any parcel containing a combustible liquid must be endorsed by the sender to indicate that the flash point is above 80° F

2. In the Index to Part 127, Title 39, of the Code of Federal Regulations (13 F. R. 892), strike out the reference "127.61 Paints, varnishes, turpentine and similar substances" and insert in lieu thereof: "127.61 Combustible liquids."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General

[F. R. Doc. 48-5152; Filed, June 9, 1948;
8:49 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING

PARCELS FOR FOREIGN COUNTRIES

Amend § 127.81 *Unpaid and insufficiently prepaid parcel-post packages* (13 F. R. 920) to read as follows:

§ 127.81 *Unpaid and insufficiently prepaid parcel-post packages*—(a) *Treatment at offices of mailing*. When a parcel (ordinary, registered, insured, or collect-on-delivery) whether intended to be transported by surface means or by air, is observed at the office of mailing to be unpaid or insufficiently prepaid and the return address on the parcel is at the office of mailing, the parcel shall be promptly returned to the sender for the affixing of the necessary additional postage. When parcels returned for additional postage are again presented for mailing the postage stamps originally affixed shall be accepted to the amount of their face value. If the parcel bears a return address other than at the office of mailing it shall not be returned to the sender but shall be forwarded to the appropriate dispatching exchange office.

(b) *Treatment at exchange post offices*. When an unpaid or insufficiently prepaid parcel (surface or air) is received at an exchange office for dispatch to a foreign country, the postmaster at such exchange office shall forward the parcel to its destination in the same manner as though fully prepaid (without affixing additional postage) and send to the postmaster at the office of mailing (or to the postmaster at the office where the sender is located if it is not the same as the office of mailing) a card notice on Form 2918, appropriately completed, containing instructions to the effect that the amount of the deficiency is to be collected from the sender and postage due stamps to cover the short payment affixed to the back of the card and canceled, and that the card be then returned by the postmaster making the collection to the exchange office from which it was received. (R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-5153; Filed, June 9, 1948;
8:49 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILINGMAIL SERVICE TO PROVINCE OF SHANTUNG,
CHINA

In § 127.231 *China (including Taiwan (Formosa) and the leased territory of Kwangchowwan (Fort Bayard)* (13 F. R. 956), make the following change:

Amend paragraph (d) to read as follows:

(d) *Mail service to Shantung Province*.

(1) The Chinese Postal Administration reports that articles in the regular (Postal Union) mails may now be sent to the following post offices in the Province of Shantung:

Ankiu.	Sinchwang, Sung.
Changkdu.	Sintal, Sung.
Changlo.	Szefang.
Changtien.	Szeshul, Sung.
Changtsing.	Talan.
Chefoo.	Talerchhwang.
Chenyang.	Takunlun.
Chowtsun.	Tancheng.
Fangtze.	Tawenkow.
Feicheng.	Tenghsien.
Fushan.	Tsangkow, Sung.
Hanchwang.	Tsaochwang, N.
Hotsch.	Tsho.
Hungshan.	Tsimo.
Hwantai.	Tslnan.
Kinsiang.	Tsingtao.
Kufow.	Tsining.
Lincheng.	Tsowhsien.
Lini.	Tsowping.
Lintzo.	Tunga.
Litsun, Sung.	Tzechwan.
Lungshan.	Tzeyang, Sung.
Mingshui.	Weihlsen.
Mingyang.	Wenshang.
Penglai.	Yihlsen.
Pingyin.	Yitu.
Poshan.	Yutal.
Putsh.	

The postal service is temporarily suspended in other localities of the Province of Shantung.

(2) Parcel post service to the Province of Shantung is suspended temporarily except to the following post offices:

Chefoo.	Tawenkow.
Chengyang.	Tenghsien.
Hanchwang.	Tsangkow, Sung.
Kufow.	Tsimo.
Lincheng, Sung.	Tslnan.
Litsun, Sung.	Tsingtao.
Sinchwang, Sung.	Tsining.
Szefang.	Tsowhsien.
Talan.	Tzeyang, Sung.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

JOSEPH J. LAWLER,
Acting Postmaster General.

[F. R. Doc. 48-5154; Filed, June 9, 1948;
8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILINGPARCEL POST TO KWANGTUNG PROVINCE,
CHINA

In § 127.231 *China (including Taiwan (Formosa) and the leased territory of Kwangchowwan (Fort Bayard)*, of Subpart D (13 F. R. 955) make the following change:

Insert the following as new paragraph (e)

(e) *Mail service to Kwangtung Province*. Parcel post service has been temporarily suspended to the following offices in the Province of Kwangtung:

Aihlsen.	Lungmoon.
Chongkong, N.	Lungsinhu.
Chungsun.	Manning.
Fahlsen.	Onpo.
Hohong.	Paklai.
Hopling.	Shekkek (Limkong)
Hoyun.	Sukal.
Kachek.	Sunfung.
Lacung.	Suwen.
Limkong.	Tzekam.
Lingshui.	Yulin (Kwangtung)
Liping, Tung.	Yungyun.
Lungchun.	

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

JOSEPH J. LAWLER,
Acting Postmaster General.

[F. R. Doc. 48-5155; Filed, June 9, 1948;
8:50 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

ITALY; GIFT PARCELS

In § 127.281 *Italy* (13 F. R. 995) make the following change:

Amend paragraph (b) (4) *Observations*, by the addition of the following as subdivision (iii)

(iii) Exemption from customs duty is granted to the following types of shipments sent as gifts by parcel post:

Food (including coffee up to 11 pounds) clothing, footwear, soap, dentifrices and medicines addressed to individuals for their personal use.

Flour and cereals, dried vegetables and food pastes addressed to individuals, to communities, or to relief organizations.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

JOSEPH J. LAWLER,
Acting Postmaster General.

[F. R. Doc. 48-5146; Filed, June 9, 1948;
8:48 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

GIFT PARCELS TO THE NETHERLANDS

In § 127.307 *Netherlands* (13 F. R. 1011) make the following change:

Append the following as a note to paragraph (b) (5) (ii) (a)

Note: The foregoing restrictions do not apply in the case of small quantities of dried milk products sent in gift parcels.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-5147; Filed, June 9, 1948;
8:48 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**PARCEL POST SERVICE TO OKINAWA AND
RYUKYU ISLANDS**

In § 127.320 *Okinawa and the Ryukyu Islands* (13 F. R. 1020), make the following changes:

1. Amend the first paragraph of paragraph (a) to read as follows:

§ 127.320 *Okinawa and the Ryukyu Islands*. (a) Postal Union (regular) mail service and ordinary parcel post service

(gift parcels and trade samples only) are available to all islands of the Ryukyu Group south of 30 degrees north latitude, including Kuchinoshima.

2. Delete the following from the first paragraph of paragraph (b), "Gift parcels are subject to the following rates of postage and other conditions;" and substitute therefor the following:

(b) *Parcel post*. (Okinawa and the Ryukyu Islands.)

3. Insert, as an introductory sentence to paragraph (c) the following:

(c) *Gift parcels*. Gift parcels are subject to the following conditions:

Subparagraphs (1) (2), (3) and (4) will be left unchanged and will follow this introduction.

4. Add the following as paragraph (d)

(d) *Trade samples*. Effective May 15, 1948, parcel post packages addressed to Okinawa and the other islands of the Ryukyu Group may contain trade samples up to the maximum weight of twenty-two pounds. The customs declarations of such parcels must bear, in addition to the description of the articles, the words "Trade Samples Only."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

JOSEPH J. LAWLER,
Acting Postmaster General.

[F. R. Doc. 48-5149; Filed, June 9, 1948;
8:49 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

TURKEY; PARCEL POST

In § 127.363 *Turkey* (13 F. R. 1048), make the following change:

Insert, in the proper alphabetical sequence, in the list of offices under the heading *Turkey in Asia*, in paragraph (b) (4) (i) the following additional offices:

Çorum.	Niğde.
Malatya.	Ordu.
Mustafakemalpaşa.	

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-5151; Filed, June 9, 1948;
8:49 a. m.]

**PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING**

**INTERNATIONAL AIR PARCEL POST: SERVICE
TO INDIA INITIATED**

In § 127.390 *International air parcel post* (13 F. R. 1341), make the following changes:

1. Amend paragraph (a) by inserting a new country, India, between Iceland,

and Italy, in the list of countries therein contained.

2. Amend paragraph (i) by inserting the following between Iceland, and Netherlands, in the list of countries and rates therein contained:

INDIA					
Lbs.	Oz.	Rate	Lbs.	Oz.	Rate
0	4	\$1.70	11	4	\$43.04
0	8	2.05	11	8	44.90
0	12	3.02	11	12	45.85
1	0	4.53	12	0	46.82
1	4	5.54	12	4	47.73
1	8	6.50	12	8	48.74
1	12	7.45	12	12	49.70
2	0	8.42	13	0	50.65
2	4	9.33	13	4	51.62
2	8	10.24	13	8	52.53
2	12	11.20	13	12	53.54
3	0	12.25	14	0	54.50
3	4	13.22	14	4	55.45
3	8	14.18	14	8	56.42
3	12	15.14	14	12	57.33
4	0	16.10	15	0	58.24
4	4	17.05	15	4	59.20
4	8	18.02	15	8	60.25
4	12	19.03	15	12	61.22
5	0	20.04	16	0	62.18
5	4	21.00	16	4	63.14
5	8	21.85	16	8	64.10
5	12	22.82	16	12	65.06
6	0	23.73	17	0	66.02
6	4	24.74	17	4	67.03
6	8	25.70	17	8	67.94
6	12	26.65	17	12	68.90
7	0	27.62	18	0	69.85
7	4	28.53	18	4	70.82
7	8	29.54	18	8	71.73
7	12	30.50	18	12	72.74
8	0	31.45	19	0	73.70
8	4	32.42	19	4	74.65
8	8	33.33	19	8	75.62
8	12	34.24	19	12	76.53
9	0	35.20	20	0	77.54
9	4	36.25	20	4	78.50
9	8	37.22	20	8	79.45
9	12	38.15	20	12	80.42
10	0	39.14	21	0	81.33
10	4	40.10	21	4	82.34
10	8	41.05	21	8	83.30
10	12	42.02	21	12	84.25
11	0	42.63	22	0	85.22

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

The above service will be inaugurated on May 22, 1948.

V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 48-5148; Filed, June 9, 1948;
8:48 a. m.]

**TITLE 43—PUBLIC LANDS:
INTERIOR**

**Subtitle A—Office of the Secretary of
the Interior**

PART 4—DELEGATIONS OF AUTHORITY

NATIONAL PARK SERVICE

Sections 4.670, 4.671, and 4.672 are added to Part 4 to read as follows:

§ 4.670 *Collection of scientific specimens*. Unless the Secretary in any particular case determines otherwise, the Director of the National Park Service and such subordinate officials of that Service as the Director may designate, are authorized to permit the collection by Federal employees, for scientific or educational purposes, of specimens of animal life in areas administered by the National Park Service where it is administratively determined that the collecting of such specimens is desirable in the interest of science or education and will contribute to the conservation of the

natural objects and the wildlife within the areas.

§ 4.671 *Acceptance of donations of moneys.* The Director of the National Park Service may accept on behalf of the United States donations of money for the purposes of the national park and monument system when the donation does not exceed \$5,000 in amount.

§ 4.672 *Acceptance of offers in settlement of timber trespasses.* The Director of the National Park Service, in his discretion, is authorized to settle timber trespasses on lands administered by the National Park Service upon payment in full of the damages thereto as determined by the Director when the amount of such damages does not exceed \$2,000.

(R. S. 161, secs. 1, 2, 39 Stat. 535, 41 Stat. 917; 5 U. S. C. 22, 16 U. S. C. 1-2, 6)

Issued this 18th day of May 1948.

[SEAL] C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

[F. R. Doc. 48-5145; Filed, June 9, 1948;
8:48 a. m.]

PROPOSED RULE MAKING

TREASURY DEPARTMENT

Bureau of Internal Revenue

[26 CFR, Part 176]

DRAWBACK ON DISTILLED SPIRITS AND WINES

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue and the Secretary of the Treasury with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of section 3179 (b) Internal Revenue Code (26 U. S. C. A. 3179 (b)) and section 309 (a) (b) (c) (d) of the Tariff Act of 1930, as amended (19 U. S. C. Supp. V 1309 (a) (b) (c) (d)).

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

1. Section 176.27 of Regulations 28 (26 CFR, Part 176) as amended, is hereby amended.

§ 176.27 *Fiberboard cases*—(a) *Requirements.* Spirits bottled especially for export may be placed in cases (boxes) constructed of solid fiberboard, single and double wall corrugated fiberboard, one-piece style, meeting the applicable requirements of rule 41, Consolidated Freight Classification; rule 18, Official Express Classification; Federal Specifications LLL-B-631 for corrugated boxes, except that B-flute corrugated sheets specified therein may not be used; and Federal Specifications LLL-B-636 for solid fiber boxes. In addition, the requirements of paragraphs (b) and (c) of this section shall apply.

(b) *Linens and partitions.* The top, bottom, and sides of the cases shall be lined with double-faced corrugated board conforming to the requirements of paragraph (a) of this section. The cases shall also contain partitions separating each bottle. Such partitions shall be tightly fitting, touching the top, bottom, and all sides of the case, and made

of the same board as the liners for the top, bottom, and sides. The interior packing of pads, liners, or partitions is not required where the bottles are placed in individual double-faced corrugated cartons meeting the requirements of paragraph (a) of this section.

(c) *Securing cases for shipment.* The top and bottom of the case shall be secured by gluing the entire inner surface of the inner flaps to the top and bottom liners and the entire inner surface of the outer flaps to the inner flaps with silicate of soda or an equally efficient adhesive: *Provided*, That containers sealed with automatic sealing machines are not required to have the inner flaps glued to the top and bottom pads or liners. In lieu of gluing, the top and bottom of the case may be secured with metal fastenings or staples, or stitching wire made of steel, treated to resist rust, and not less than 1/2 of an inch long. The staples or stitches shall be spaced not more than 2 inches apart, shall pass through all the pieces to be fastened, and shall be clinched on the inside. (Sec. 3179 (b), Internal Revenue Code, and sec. 309 (a) (b) (c) (d) of the Tariff Act of 1930, as amended (19 U. S. C. Supp. V 1309 (a) (b) (c) (d)).)

2. This Treasury decision shall be effective on the 31st day after its publication in the FEDERAL REGISTER.

[F. R. Doc. 48-5201; Filed, June 9, 1948;
8:58 a. m.]

[26 CFR, Part 181]

STILLS AND DISTILLING APPARATUS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of section 3791 of the Internal Revenue Code (26 U. S. C. A. 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

1. Regulations 23 (Part 181, 26 CFR), as amended, are hereby amended in these respects:

a. Sections 181.13 (g) and 181.14 (a) are amended; and

b. Sections 181.28, 181.29, 181.30, 181.31 and 181.32 are added.

2. This amendment of the regulations is designed to provide a procedure to facilitate customs treatment where stills, worms or condensers intended for purposes other than distilling are removed for exportation free of tax.

§ 181.13 *Taxable status of stills.*

(g) *Exportation.* Stills or worms or condensers intended for purposes other than distilling as defined in § 181.12 may be removed without payment of the commodity tax for export by the manufacturer, or dealer, under the procedure prescribed by §§ 181.28, 181.29, 181.30, 181.31 and 181.32. (Sec. 3791, I. R. C.)

§ 181.14 *Procedure for removal for domestic use*—(a) *Application and permit for removal.* No still, boiler (doubler or pot still) worm, condenser, or other distilling apparatus, shall be removed from the premises of the manufacturer, or dealer, as the case may be, for delivery to a user, or for his own use, until the collector of the district in which the manufacturer or vendor is located has received from the manufacturer or vendor an application on Form 110, in triplicate, for permission to remove the distilling apparatus, and permit on such form has been received from such collector to remove the same. Such application shall disclose the name and address of the manufacturer or vendor, the approximate date the apparatus is to be removed, the name and address of the person by whom the apparatus is to be used, the purpose for which it is to be used, the type and kind of apparatus, its capacity, the manufacturer's serial number of the apparatus, and, if the apparatus is taxable, the serial number of the manufacturer's special (occupational) tax stamp and the serial number of the special (commodity) tax stamp for the apparatus. The collector issuing the removal permit shall furnish a copy of such permit to the district supervisor in whose district the apparatus is to be set up, registered and used. No distilling apparatus may be set up or used for distilling as defined by § 181.12 without application to and permit from the district supervisor in whose district the apparatus is to be used as provided in § 181.14 (b) (See §§ 181.17 to 181.27, inclusive, relative to exportation of stills

with benefit of drawback, and §§ 181.28 to 181.32, inclusive, relative to exportation free of tax.) (Sec. 3791, I. R. C.)

EXPORTATION OF DISTILLING APPARATUS FREE OF TAX

§ 181.28 *Application and entry, Form 1690.* The exporter will execute and file with the collector of internal revenue an application and entry on Form 1690, in quadruplicate, when he desires to remove for exportation, without payment of the commodity tax, a still, worm or condenser intended for purposes other than distilling. Each application, Form 1690, must be numbered serially commencing with number 1 and continuing in regular sequence for all applications thereafter. Parts 1 and 2 of each copy will be fully executed. If all required information has been furnished by the exporter, the collector of internal revenue will approve each copy of the application and entry, retain the original and return three copies to the exporter. Upon receipt of the approved copies of the application and entry, the exporter may remove the still, worm or condenser described therein for export free of tax. If evidence of exportation (as herein-after prescribed) is not received by the collector of internal revenue in due course, an appropriate inquiry will be made. (Sec. 3791, I. R. C.)

§ 181.29 *Marking of stills, worms or condensers.* Stills, worms or condensers intended for exportation free of tax shall have branded or stamped thereon, in a conspicuous place, the words "For export," followed by the serial number of the article and the manufacturer's name. Where such articles are manufactured from metal plates, the words "For export," with the serial number of the article and the manufacturer's name directly thereunder, will be stamped (in letters and figures which must, in no case, be less than one-half inch in height) thereon with a suitable die, or otherwise permanently affixed to each article. Where the article is constructed of wood, the words "For export," the serial number of the article and the manufacturer's name will be branded thereon. If the article is to be exported in a shipping container, the foregoing marks must also be shown on such container in a manner which will enable ready identification by customs officers. (Sec. 3791, I. R. C.)

§ 181.30 *Delivery of shipment; bill of lading.* The exporter, upon receipt of the approved copies of the application and entry, will deliver the still, worm or condenser either to the carrier or directly for customs inspection. Two copies of the Form 1690 will be transmitted to the collector of customs. A copy of the export bill of lading shall be forwarded and filed with the collector of customs. In case of exportation through a border port to foreign contiguous territory, the bill of lading will cover transportation to destination and must show the routing, particularly the carrier which will deliver the shipment for customs inspection at the border; also, that the shipment was sent in care of the collector or deputy collector of customs at the border port. (Sec. 3791, I. R. C.)

§ 181.31 *Inspection and lading.* The collector of customs to whom the copies of Form 1690 are transmitted will fill in on each copy of the form the order for inspection and lading. The inspector of customs will carefully examine the shipment described in the entry and he will, if he finds it to be otherwise than described, make a special report thereon. After having complied with the order of inspection and after the distilling apparatus has been duly laden on board the exporting vessel or other vehicle the inspector will complete and sign the certificate of inspection and lading. (Sec. 3791, I. R. C.)

§ 181.32 *Certification of exportation.* After inspection, lading and clearance for a foreign port of the vessel or other vehicle on which the distilling apparatus described in the entry is laden, and after receipt of the export or through bill of lading, the collector of customs will execute the certificate of exportation on each copy of the entry, Form 1690. The collector of customs will retain one copy for his entry record and transmit the remaining copy of the Form 1690 to the collector of internal revenue who approved the form. (Sec. 3791, I. R. C.)

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER. [F. R. Doc. 48-5203; Filed, June 9, 1948; 8:59 a. m.]

126 CFR, Part 188]

BOTTLING OF DISTILLED SPIRITS IN BOND

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of sections 2905 and 3176, Internal Revenue Code (26 U. S. C. A. 2905 and 3176).

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

1. Section 188.89 of Regulations 6 (26 CFR, Part 188) is hereby amended.

§ 188.89 *Fiberboard cases*—(a) *Requirements.* Spirits bottled in bond may be placed in cases (boxes) constructed of solid fiberboard, single and double wall corrugated fiberboard, one-piece style, meeting the applicable requirements of rule 41, Consolidated Freight Classification; rule 18, Official Express Classification; Federal Specifications LLL-B-631 for corrugated boxes, except that B-flute corrugated sheets specified therein may not be used; and Federal

Specifications LLL-B-636 for solid fiber boxes. In addition, the requirements of paragraphs (b) and (c) of this section shall apply.

(b) *Liners and partitions.* The top, bottom, and sides of the cases shall be lined with double-faced corrugated board conforming to the requirements of paragraph (a) of this section. The cases shall also contain partitions separating each bottle. Such partitions shall be tightly fitting, touching the top, bottom, and all sides of the case, and made of the same board as the liners for the top, bottom, and sides. The interior packing of pads, liners, or partitions is not required where the bottles are placed in individual double-faced corrugated cartons meeting the requirements of paragraph (a) of this section.

(c) *Securing cases for shipment.* The top and bottom of the case shall be secured by gluing the entire inner surface of the inner flaps to the top and bottom liners and the entire inner surface of the outer flaps to the inner flaps with silicate of soda or an equally efficient adhesive: *Provided*, That containers sealed with automatic sealing machines are not required to have the inner flaps glued to the top and bottom pads or liners. In lieu of gluing, the top and bottom of the case may be secured with metal fastenings or staples, or stitching wire made of steel, treated to resist rust, and not less than 1/2 of an inch long. The staples or stitches shall be spaced not more than 2 inches apart, shall pass through all the pieces to be fastened, and shall be clinched on the inside. (Sec. 2905 and sec. 3176, Internal Revenue Code (26 U. S. C. A. 2905 and 3176))

2. This Treasury decision shall be effective on the 31st day after its publication in the FEDERAL REGISTER.

[F. R. Doc. 48-5202; Filed, June 9, 1948; 8:59 a. m.]

126 CFR, Part 192]

FERMENTED MALT LIQUOR

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of sections 2829, 3150, 3153, 3154, 3155, 3157, 3158, 3176, 3250, 3271, 3278, and 3280, Internal Revenue Code (26 U. S. C. A. 2829, 3150, 3153, 3154, 3155, 3157, 3158, 3176, 3250, 3271, 3278, and 3280) and sec. 3, 55 Stat. 692 (19 U. S. C. Supp., 1303).

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

1. The following sections are amended: 192.7, 192.16, 192.22, 192.26, 192.27, 192.31, 192.33, 192.41, 192.46, 192.76 to 192.81, inclusive, 192.87, 192.89, 192.92 (a), 192.94, 192.95, 192.96, 192.107, 192.111, 192.118, 192.125, 192.127, 192.129, 192.130, 192.146, 192.149, 192.150, 192.184, 192.185, 192.187, 192.191, 192.195, 192.196, 192.201, 192.204, 192.207, 192.209, 192.224, 192.252, 192.259, 192.260 and 192.263.

§ 192.7 *Brewery buildings.* Brewery buildings must be securely constructed of substantial, solid materials. If there are buildings used in the conduct of another business (except as hereinbefore authorized) adjoining the building on the brewery premises, such other buildings must be entirely separated from the brewery buildings by substantial, solid and unbroken walls from the ground to the roof in a direct vertical line. If beer is conveyed from the brewery to the bottling house by pipe line, the brewery premises must be adjacent or contiguous to the bottling house premises. If the brewery and the bottling house are adjoining, there shall be no interior communication between the two premises and such premises must be separated by solid and unbroken walls, except for authorized conduits, tunnels and pipe lines. (Secs. 3157, 3176, I. R. C.)

§ 192.16 *Tanks and vats.* Each stationary tank, vat, cask, or other container used in connection with the operation of the brewery shall be located in the brewery building and be constructed of suitable materials. Each such tank, vat, cask, or other container shall be permanently marked to show its designated use, such as "Fermenting Tank," "Storage Tank," "Settling Tank," etc., and its serial number and capacity in barrels of 31 gallons. Tanks that are used for a dual purpose, such as fermenting and storage, will be designated to indicate both usages. All tanks or other containers shall be equipped with a suitable measuring device so that the actual contents of each such tank or container may be determined, except that in lieu of equipping each storage container with an individual measuring device, the brewer may use meters or portable gauge glasses whereby the contents of storage containers may be correctly ascertained. (Secs. 2829, 3176, I. R. C.)

§ 192.22 *Location and installation.* The meters will be located on the brewery premises: *Provided*, That the district supervisor may approve the location of the bottling meters on the bottling house premises upon establishment by the brewer of a good and sufficient reason therefor and the supervisor is satisfied that the structural arrangement of the pipe lines and meter will permit an accurate measurement of the fermented malt liquor transferred for bottling. Each bottling meter must be installed in such manner that all beer transferred to the bottling house will pass through the meter. The beer line from the brewery to the bottling house must be brazed, sweated or welded to a companion flange which shall be fitted to the inlet flange of the meter when the meter is located on the bottling house premises and to the outlet flange of the

meter when the meter is located on the brewery premises. These connecting flanges will be bolted and sealed with Government cap seals. Meters must be provided for racking and each meter installed as near as possible to the racker tank in such manner that all beer moving into the racking machine will pass through the meter. The beer line from the meter to the racker tank must be brazed, sweated or welded to flanges which are fitted to the flanges on the outlet side of the meter and also to the racker tank at the point of entrance. These connecting flanges at the meter and the racker tank will be bolted and sealed with Government cap seals. (Secs. 2829, 3157, 3176, I. R. C.)

§ 192.26 *Repairs and adjustment.* When necessary in the opinion of the supervisor, or upon request of the brewer, the supervisor will detail an inspector to supervise the dismantling and reassembling of the meter for the purpose of cleaning or repair. If the meter cannot be repaired or a replacement meter installed without delay, the inspector will, upon removal of the meter, cause the open beer line to be closed by locking the cut-off valve with a Slight seal lock or affixing a Government cap seal. When the repairs are completed or a new meter installed, the inspector will test the repaired or newly installed meter with a master meter. Minor repairs to the counter mechanism such as cleaning to facilitate reading will not necessitate a master meter check. The officer will report on Form 121 the removal and use of cap seals. A report will be made in triplicate on Form 138 of any master meter check occasioned by repairs and adjustment. One copy will be given to the brewer, one filed in Government cabinet at the brewery and one copy forwarded to the district supervisor. The use of any meter must be discontinued whenever it appears that the revenue will be jeopardized by the continued use of such meter. (Secs. 2829, 3176, I. R. C.)

§ 192.27 *Facilities for meter test.* The brewer will provide adequate facilities for master meter tests of all regularly installed meters. The pipe lines to all meters will contain removable sections or other facilities to permit the installation of the master meter close to and in series with the brewer's meter. The pipe lines will also contain an arrangement of valves and by-pass lines for inserting the Government meter and making the test without interfering with pumping operations, unless the brewer elects to stop operations for the meter tests in lieu of making such installations. All such installations must conform with the requirements of § 192.22. (Secs. 2829, 3176, I. R. C.)

§ 192.31 *Description of premises.* The lot or tract of land on which the brewery is situated, and the lot or tract of land on which the brewery bottling house is situated, must be separately described on Form 27-C by courses, and distances, in feet and inches, with the particularity required in conveyances of real estate. The continuity of the brewery premises and the bottling house premises must be unbroken, except that the continuity will

not be considered as broken where the premises are divided by a public street or highway, if the parts of the premises so divided abut on such street or highway opposite each other. The same is true where the premises are so divided by a railroad right of way, if the railroad is a common carrier. In such cases, each tract of land constituting the brewery and the bottling house premises shall be described separately on the form. (Secs. 3155 (a), 3176 I. R. C.)

§ 192.33 *Description of apparatus and equipment.* The brew kettles, mash tubs, fermenting tanks, storage tanks and other major equipment used in the production of fermented malt liquor will be described separately as to use, serial number, and capacity, in barrels of 31 gallons, as specifically required by the Form 27-C and the instructions thereon. All tanks, bottling apparatus and other major equipment in the bottling house used for bottling fermented malt liquor must be described in the space provided therefor in the notice, separately, as to use, serial number, and capacity in barrels of 31 gallons, in the case of tanks. (Secs. 3155 (a), 3176, I. R. C.)

§ 192.41 *Trade name certificate.*

(a) *Bottling under trade name.* Where a brewer intends to bottle beer under a trade name or names other than the name under which the brewery or bottling house is qualified to operate, he must include such trade name in Form 27-C for that purpose, furnish the trade name certificate, or statement in lieu thereof required by this section, and obtain appropriate certificates of label approval or certificates of exemption from label approval in any case where Regulations No. 7, issued under the Federal Alcohol Administration Act, is applicable. (Secs. 3155 (a), 3176, I. R. C.)

§ 192.46 *Penal sum.* The penal sum of a brewer's bond to cover the manufacture of fermented malt liquors, must be equal to the amount of the tax as prescribed by law, which, in the opinion of the district supervisor of the district in which the brewery is located, the brewer will be liable to pay during any one month; that is to say, the maximum quantity of fermented liquors that, in his opinion, will actually be tax-paid at said brewery during any one month: *Provided*, That the penal sum of any such bond shall not exceed \$100,000 nor be less than \$1,000. (Secs. 3155 (b), 3176, I. R. C.)

§ 192.76 *Preparation.* Every plat and plan shall be drawn to scale and each sheet thereof shall bear a distinctive title, enabling ready identification, and shall show the cardinal points of the compass. The minimum scale of any plat will be not less than $\frac{1}{32}$ inch per foot. Each sheet of the plat and plans shall be numbered, the first sheet being designated number 1 and the other sheets numbered in consecutive order. Plats and plans shall be submitted on sheets of tracing cloth or sensitized linen. The dimensions of plats and plans shall be 15 by 20 inches outside measurement, with a clear margin of at least 1 inch on each side of the drawing, lettering and writing. Plats and plans may be original drawings, or

reproduction made by the "ditto process," or by blue or brown line lithoprint, if such reproductions are clear and distinct. (Sec. 3176, I. R. C.)

§ 192.77 *Description of brewery and bottling house premises.* Plats must show separately the outer boundaries of the brewery and bottling house premises by courses and distances, in feet and inches, and the point of beginning with respect to its distance and bearings from some near and well-known land mark, and the building, or buildings, comprising the premises must be accurately identified. The brewery and bottling house premises must be shown in contrasting colors or by a legend such as cross hatching, a broken line, etc. If the premises are separated by a public highway, or a railroad right of way, and the tracts of land comprising the premises, or parts thereof, abut on such highway, or right of way, opposite each other, the different tracts will be described separately by courses and distances, in feet and inches. If two or more buildings are used, the designated name of each will be indicated and all passage ways and other openings, if any, and all connecting pipe lines used for the conveyance of fermented malt liquor between the same depicted. All pipe lines and other connections between the brewery premises and other premises must be indicated on the plat and identified as to use. Where two or more buildings are used for the same purpose, the name of each building shall include an alphabetical designation, beginning with "A" and they shall be so shown on the plat. All first floor openings of each building on the premises will be shown on the plat. The surrounding drive ways, streets and sidings shall also be indicated on the plat. (Sec. 3176, I. R. C.)

§ 192.78 *Plans.* Plans will include a floor plan of each floor of each building actually used in connection with the manufacture, packaging and bottling of fermented malt liquor or other authorized activity, indicating the dimensions of the rooms and floors. The location of doors, windows and other openings will be shown. The approximate location and serial numbers of brew kettles, mash tubs, fermenting tanks, settling tanks, storage tanks and other major apparatus and equipment used in the production of fermented malt liquor must be shown or indicated on the plan by drawing or wording. For example, where a number of tanks are located in a room, the approximate location of each tank may be shown on the plan by circle or square and the kind and serial number of the tank indicated within the circle or square or elsewhere on the plan or the fact that the tanks are located within the room may be indicated by wording giving the kinds and serial numbers of the tanks. (Sec. 3176, I. R. C.)

§ 192.79 *Conduits or pipe lines.* The conduit or pipe line used for the transfer of fermented malt liquor from the brewery to the bottling house will be shown in red on the plat, and the details of construction, the manner of securing same, and the location of meters and Government locks will be shown. All

other pipe lines connecting the brewery and bottling house will be shown on the plat and will be designated as to use. The direction of flow of fermented malt liquor through the pipe lines must be indicated by arrows on the plat. (Secs. 3157, 3176, I. R. C.)

§ 192.80 *Certificate of accuracy.* The plat and plans shall bear a certificate of accuracy in the lower right hand corner of each sheet signed by the brewer, the draftsman and the district supervisor substantially in the following form:

(Name of brewer)

(Address)

Approved -----
(Date)
Accuracy certified by: -----
(District supervisor)

(Name and capacity—for the brewer)

(Draftsman)
-----, 19---- Sheet No. -----
(Date)

(Sec. 3176, I. R. C.)

§ 192.81 *Revised plats and plans.* The sheets of revised plats and plans shall bear the same number as the sheets superseded but will be given a new date. Any additional plats and plans shall be given a new number in consecutive order or will be otherwise numbered and lettered in such manner as will permit the filing of the plats and plans in proper sequence. (Sec. 3176, I. R. C.)

§ 192.87 *Changes in stockholders, officers, and directors of corporation.* The sale or transfer of the capital stock of a corporation operating a brewery does not constitute a change in the proprietorship of the brewery. However, where the sale or transfer of capital stock results in a change in the control or management of the business, or where there is any change in the officers or directors, the brewer must give notice thereof, in triplicate, to the district supervisor within 5 days of such change. Mere changes in stockholders of corporations not constituting a change in control need not be so reported. The district supervisor must, in the case of changes in officers or directors, be furnished extracts, in triplicate, of the minutes of the meetings showing the election of the new officers within 5 days after such election. (Sec. 3176, I. R. C.)

§ 192.89 *Special tax stamps.* Where there is a change in proprietorship of the brewery, the successor must procure the required special tax stamps: *Provided*, That where a change in proprietorship occurs by reason of the withdrawal of one or more members of a partnership, the special tax stamp, or stamps, may be validated if within 30 days after the withdrawal there is filed with the collector of internal revenue, an amended return on Form 11, showing the required information regarding the remaining partner or partners. The special tax stamp, or stamps, must also be forwarded to the collector for appropriate endorsement of the change in the partnership. (Secs. 3176, 3250, I. R. C.)

§ 192.92 *Change in location.* * * *

(a) *Special tax.* Where there has been a change in location, the brewer must, within 30 days after such change is made, file with the collector of internal revenue an amended return on Form 11 covering the new location of the premises; otherwise, new special tax stamps must be purchased. The special tax stamp, or stamps, must be forwarded to the collector for endorsement of the change in location. (Secs. 3176, 3250, 3278, 3280, I. R. C.)

§ 192.94 *Changes in construction and use.* Where a change is to be made in the construction or use of a room, or building, that will affect the accuracy of Form 27-C and plat or plans, the brewer shall first secure approval thereof by the district supervisor pursuant to application, in triplicate, setting forth specifically the proposed changes. Upon completion of the changes, the brewer will comply with the provisions of § 192.96. (Sec. 3176, I. R. C.)

§ 192.95 *Changes in equipment.* Where changes are to be made in brewery equipment that affect the accuracy of Form 27-C and plat or plans, the brewer shall first secure approval thereof by the district supervisor pursuant to application, in triplicate, setting forth specifically the proposed changes: *Provided*, That emergency repairs coming under this category of changes may be made without prior approval of the district supervisor. Where such emergency repairs are made, the brewer will file immediately a report thereof, in triplicate, with the district supervisor. (Sec. 3176, I. R. C.)

§ 192.96 *Amended notice and plats or plans.* Where changes have occurred under §§ 192.94 or 192.95 amended notice and plat or plans will be filed on or before May 1 to reflect the changes made during the preceding calendar year. The district supervisor may require the immediate filing of such documents upon completion of changes that materially affect the accuracy of the existing Form 27-C and plat or plans. (Sec. 3176, I. R. C.)

§ 192.107 *Disposition of qualifying documents.* Where the bond or consent of surety is approved by the district supervisor, he will forward the original copy of the bond, and the original copy of the notice, plat, plan, and other qualifying documents, together with a copy of all inspection reports, to the Commissioner, one copy of the bond, notice, plat, plans, and other qualifying documents to the brewer and will retain one copy of such qualifying documents for the file of such brewer, and will authorize the brewer to commence operations. The documents returned to the brewer will be filed in proper order and made available for inspection during ordinary business hours. If the bond or consent of surety is disapproved by the district supervisor, all copies thereof shall be returned to the principal, and the surety or sureties shall be notified of such action. The district supervisor will promptly advise the Commissioner fully respecting the disapproval of any bond by him. If the bond

or consent of surety has been disapproved, the district supervisor will return all copies of other qualifying documents to the applicant, or brewer. (Sec. 3176, I. R. C.)

§ 192.111 *Review of documents.* The Commissioner will review the qualifying documents, and determine that they are properly executed, and in conformity with the requirements of law and regulations concerning construction and establishment. If such documents are not in conformity with the above requirements, the Commissioner will return all copies to the district supervisor, with the necessary instructions for correction. (Sec. 3176, I. R. C.)

§ 192.118 *Special tax.* Brewers are required to pay within the calendar month in which they commence operations the special tax required by section 3250 (c) Internal Revenue Code. Special taxes shall become due on the 1st day of July in each year, or on commencing any trade or business on which such tax is imposed. In the former case the tax is reckoned for one year; and in the latter it is reckoned proportionately from the 1st day of the month in which the liability to special tax commenced to and including the 30th day of June following. (Secs. 3176, 3250 (c) (1) 3271 (b) I. R. C.)

§ 192.125 *Beer tax rate.* All beer, lager beer, ale, porter, and other similar fermented liquors, containing one-half of 1 per centum or more of alcohol by volume, brewed or manufactured and sold, or removed for consumption or sale, by whatever name such liquors may be called, are subject to the tax prescribed by section 3150 (a) Internal Revenue Code, for every barrel containing not more than 31 gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law, to be collected under the provisions of existing law. (Secs. 3150 (a) 3176, I. R. C.)

§ 192.127 *Method of tax payment.* The tax on fermented liquor is required by law to be paid by the owner, agent, or superintendent of the brewery or premises in which it is made, and must be paid by stamp and at the time and in the manner specified by the regulations in this part. (Secs. 3150 (a) 3176, I. R. C.)

§ 192.129 *More than one brewery owned by the same person.* Where two or more breweries are owned and operated by the same person, firm, or corporation, barrels or kegs with the name of the brewer and the location of one or more of such breweries branded or embossed thereon or indented therein may be used for the removal of tax-paid fermented malt liquor from the premises of all such breweries, provided, whenever a barrel or keg so branded is filled with tax-paid fermented malt liquor for removal, a label, showing the location (city and state) of the brewery at which the fermented malt liquor was produced, is securely affixed thereon. If more than one such brewery is located in the same city, such label shall show the location by street number, city and state. (Secs. 3155 (f) 3176, I. R. C.)

§ 192.130 *Rebranded barrels.* No wooden barrel or keg which has been rebranded across the staves and no wooden barrel or keg which has the name of more than one manufacturer branded thereon may be used by a brewer as a container for fermented liquor: *Provided*, That the removal and replacement of one or more staves by the brewer whose name and address was originally so branded on a barrel or keg shall not be deemed to be a rebranding: *And provided further* That where wooden barrels or kegs are sold by one brewer to another, or are sold under court order, the brands on such barrels or kegs may, upon application to, and approval of, the district supervisor, be scraped and the barrels or kegs rebranded by the purchasing brewer, and in the case of metal barrels or kegs the original marks may be covered by a metal plate so welded into the barrel as to become an integral part thereof. Where a brewer has discontinued business, the successor may comply with the provisions of this section by placing additional marks and brands on the barrels and kegs, in accordance with § 192.128, which indicate the successorship, without removing the marks and brands of the predecessor. (Secs. 3155 (f) 3176, I. R. C.)

§ 192.146 *Beer transferred to bottling house by pipe line.* Sufficient stamps to cover the taxpayment of all fermented malt liquor to be transferred to the bottling house each day must be on hand at the brewery. The brewer will make a daily report on Form 139, in triplicate, of all beer run through the meter for bottling. The daily report will be prepared not later than the close of the business day (exclusive of Saturdays, Sundays and holidays) next succeeding the day on which the transactions occur. Report of meter readings will be made from the continuous counter. At the time of making his report on Form 139 the brewer will cancel the number of beer stamps corresponding to the quantity of beer metered for tax payment, in the manner prescribed for the cancellation of stamps for barrels or kegs of fermented malt liquor. The set back counter may be used by the brewer for checking continuous counter readings, and upon completion of the day's run for bottling, it must be set at zero. The brewer will attach the canceled stamps to one copy of Form 139, to be delivered to the inspector who visits the brewery and takes the meter reading. One copy of each Form 139 will be attached to Form 103 by the brewer, and will be transmitted by him to the district supervisor. The third copy will be retained by the brewer as a part of his Government record, to be kept available for inspection by officers of this Bureau. The inspector, having satisfied himself by an inspection of the stamps that they are sufficient to cover the tax due on the beer passed through the meter for taxpayment as indicated by Form 139, and that they have been properly canceled by the brewer, will, in the presence of the brewer, further cancel and deface the stamps so delivered, by driving through them a die or punch, in such manner as to cut from the center of each stamp a

piece thereof not less than one-half inch square, and will sign the receipt on the three copies of Form 139. The meter will be read, and Forms 139, with canceled stamps attached, will be collected from the brewer by any inspector visiting the brewery to make a master meter check, or any special inspection, or on monthly inspection. (Secs. 3157 (a), 3176, I. R. C.)

§ 192.149 *Containers and records.* Brewer's yeast in liquid or solid form containing not less than 10 percent solids (as determined by the methods of analysis of the American Society of Brewing Chemists) may be removed from the brewery in barrels, tank wagons or other suitable containers or by pipe line. If removed in containers, the containers must bear labels giving the name and location of the brewery and the words "Brewer's Yeast." If removed by pipe line, the pipe line will be indicated on the plat and described in the Form 27-C and the premises receiving the product will be subject to inspection by Government officers during ordinary business hours. The brewer must keep records open for inspection by Government officers showing the quantity and date of removal and the name and address of the consignee. Brewer's yeast may be removed for sale to other brewers for use in the manufacture of beer and to other concerns (including off-premise plants of brewers) for the preparation of stock foods and medicinal products, or for any other legitimate purposes. (Secs. 3158, 3176 I. R. C.)

§ 192.150 *Malt sirup.* Records shall be kept by the brewer of all malt and malt sirup removed from the brewery. Such records must show the quantity of each lot removed, together with the name and address of the person to whom shipped or delivered. The records must be available for inspection by Government officers. (Secs. 3158, 3176, I. R. C.)

§ 192.184 *Examination of beer.* The inspector will examine the beer to determine (a) its condition, (b) that it is unsalable, and (c) the apparent reason for its having become unsalable. He will verify the quantity to be destroyed or returned to the brewery. The inspector will take samples of the unsalable beer, selected at random from several of the lots accumulated and determine the percent of alcohol by volume. Samples of beer similar to that which is being destroyed or returned to the brewery, will be selected from the brewery storage vats and the alcoholic content determined for comparison with the tests of samples of unsalable beer. Any other tests of the unsalable beer will be made by the inspector that will aid in verifying the statements in the brewer's affidavit. (Secs. 3153, 3176, I. R. C.)

§ 192.185 *Requirements for accumulation in tanks.* Brewers may accumulate in calibrated tanks provided especially for that purpose any fermented malt liquor which has not been removed from the bottling house and which is unsalable by reason of its conditions. A record will be kept of the quantity of fermented malt liquor deposited in the tanks each day and a record of the bottling

from which the unsalable beer was accumulated. The daily record will show the balling, alcoholic content by volume and amount of each type bottled and will be submitted in support of the affidavit made under § 192.181. The brewer will ascertain the balling and alcoholic content of the accumulated beer to be offered for inspection and will make appropriate computations by comparison with the average balling and alcoholic content of the beer bottled daily during the collection period to determine the actual amount of unsalable beer collected upon which refund may be claimed and the amount of water that may have been incidentally introduced into the tank for which refund is not allowable. The inspector will take appropriate samples of the fermented malt liquor for use in determining the balling and per cent of alcohol and whether the beer is unsalable. He will also make such examination of the brewing and bottling records as may be necessary to verify the brewer's affidavit and supporting data. (Secs. 3154, 3176, I. R. C.)

§ 192.187 *Copy to Commissioner* The original of the inspector's report, together with one copy of the brewer's affidavit, will be forwarded by the district supervisor to the Commissioner, accompanied by a statement setting forth the district supervisor's views as to the propriety of allowing the claim for refund of the tax paid on the unsalable beer. (Secs. 3154, 3176, I. R. C.)

§ 192.191 *Claims for refund.* Claims for refund of tax on fermented malt liquor destroyed in the bottling house or returned to the brewery because of the fermented malt liquor being unsalable will be filed on Form 843. Claims must be filed with the district supervisor of the district where the brewery is located and within 90 days after destruction of the fermented malt liquor or the return thereof to the brewery for use as brewing material. The district supervisor will certify the claim as to the total amount of tax paid on the fermented malt liquor in question and will forward the claim to the Commissioner with the papers referred to in § 192.187. (Secs. 3154, 3176, I. R. C.)

§ 192.195 *Record of beer bottled for export.* Not later than the close of business of the next business day (exclusive of Saturdays, Sundays and holidays) on which beer is removed from the brewery to the bottling house and bottled for export the brewer will enter the quantity so bottled in Form 139 at the line entitled "Less tax-free transfers." The brewer will write in this line the words "Bottled for export." (Secs. 3153 (b) 3176, I. R. C.)

§ 192.196 *Form 1626.* Record will be kept by the brewer on Form 1626 of all fermented malt liquor bottled for export. Entries must be made in this record not later than the close of business of the next succeeding business day (exclusive of Saturdays, Sundays and holidays) on which transactions occur. The brewer will attach one copy of Form 1626 to each copy of Form 103 rendered by him to the supervisor, and one copy to the Form

103 retained by him at the brewery. (Secs. 3153 (b), 3176, I. R. C.)

§ 192.201 *Marks on containers.* Each keg, barrel, shipping case, crate or other package containing fermented malt liquor to be exported under these regulations in this part, without the payment of tax, must plainly and legibly show the brewer's name and address, and the words "Fermented Malt Liquor for Export-Lot No. _____" in letters and figures of not less than three-fourths of an inch in height. The lot number assigned must correspond with the brewer's serial number of the Form 1689. (Secs. 3153 (b) 3176, I. R. C.)

§ 192.204 *Details on Form 1689.* Each application on Form 1689 will be given a serial number by the brewer beginning with number 1. On July 1 of each year he shall begin a new series, commencing with number 1. The details required by the application must be filed in completely and legibly by the brewer. The name of the carrier—that is, vessel or vehicle on which shipment will be carried from the exterior limits of the United States—unless known to the brewer, will be filled in by the agent of the brewer at the port of exportation who will sign the request for customs inspection as exporter. (Secs. 3153 (b), 3176, I. R. C.)

§ 192.207 *Examination by inspector.* Upon receipt of Forms 1689 from the supervisor, the inspector will verify the quantity of fermented malt liquor to be exported. In verifying the contents of the containers of fermented malt liquor, the inspector will examine a representative number of such containers or will use any other method of inspection which will reasonably disclose that the contents of the containers are as represented by the Form 1689 and that the containers are properly marked and labeled. (Secs. 3153 (b) 3176, I. R. C.)

§ 192.209 *Change of consignee* Where, after inspection of an export shipment, but before removal, the brewer, for good and sufficient reasons, desires to change the name and address of the consignee, he will forward the two copies of Form 1689, left with him by the inspector with a letter to the district supervisor, for correction, indorsement, and return. Where a change of consignee is desired after removal of the fermented malt liquor, the district supervisor may authorize such change and notify the appropriate collector of customs. (Secs. 3153 (b) 3176, I. R. C.)

§ 192.224 *Shortage in foreign landing.* If a shortage is reported, the district supervisor shall enter credit for the actual quantity, if any, received at the foreign port as indicated by the evidence of landing and shall report promptly for assessment the amount of the tax due on the shortage. If shortages are disclosed in more than one export shipment of a brewer, all the shortages reported during a month may be included in a consolidated assessment to be reported at the close of the month. (Secs. 3153 (b), 3176, I. R. C.)

§ 192.252 *Labels.* Bottles or cans containing cereal beverages not taxable as

fermented liquors are required to have a label setting forth the following information:

(a) Name of the brewer.
(b) The location of the brewery by city and state, or street number, city and state if the brewer operates more than one brewery in the same city.

(c) Distinctive name of the beverage, if any.

(d) "Non-taxable as Fermented Liquor Under Federal Law." The label may contain other statements desired by the brewer if they are not inconsistent with the requirements of this section. (Sec. 3176, I. R. C.)

§ 192.259 *Form 103.* Each brewer shall keep Form 103, "Monthly Record of Transactions at Brewery," reporting thereon the quantity of each kind of material received and used in the production of fermented malt liquor, the amount of fermented malt liquor produced therefrom, the amount of fermented malt liquor removed from the brewery premises and other information required by the regulations in this part and by the lines and instructions on the form. There shall also be reported as a special debit in the "Summary of Fermented Malt Liquor" of Form 103 the quantity of water, if any, used in adjusting the balling or alcoholic content of the fermented malt liquor after removal from the settling tanks. The entries shall be made prior to the close of the business day (exclusive of Saturdays, Sundays and holidays) next succeeding the day on which the transactions occur. Monthly returns of the operations of such plants on Form 103 shall be made not later than the 10th day of each month for the preceding month. Such returns shall be made in triplicate. Each copy shall be duly sworn to or affirmed. Two copies shall be forwarded to the supervisor, who shall forward one to the Commissioner in accordance with instructions on the form. The remaining copy will be retained by the brewer and filed as a permanent record, so as to be available for inspection at any time within the succeeding four years. (Secs. 3155 (c) 3171 (a) 3176, I. R. C.)

§ 192.260 *Daily sales record.* Each brewer must keep at the brewery, and available for inspection at all times, a daily sales record, showing in detail the number and kind of packages, such as hogsheads, barrels, half-barrels, cases, etc., of fermented malt liquor and cereal beverages sold or removed, the names and addresses of the purchasers, and the amounts sold to each such purchaser. The sales records will be held available for inspection for a period of four years. (Sec. 3176, I. R. C.)

§ 192.263 *Form 1689.* Application will be made on Form 1689 for the removal of fermented malt liquor from a brewery or from the bottling house of a brewery for use as supplies on vessels and aircraft. (Sec. 3176, I. R. C., Sec. 3, 55 Stat. 602 (19 U. S. C. Supp., 1309))

2. Sections 192.197, 192.205, 192.206, 192.208, 192.215 to 192.218, inclusive, 192.221 to 192.223, inclusive, and 192.253 (b) are amended by striking out "Form 550" wherever it appears therein and substituting therefor "Form 1689."

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER. [F. R. Doc. 48-5205; Filed, June 9, 1948; 8:59 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Parts 725, 726]

TOBACCO; BURLEY AND FLUE-CURED AND FIRE-CURED AND DARK AIR-CURED

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF TOBACCO FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1949-50 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1312, 1313) the Secretary of Agriculture is preparing to formulate regulations governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect during the 1949-50 marketing year for Burley, flue-cured, fire-cured, and dark air-cured tobacco.

Growers of Burley and flue-cured tobacco voting in referenda held on October 25, 1946, and July 12, 1946, respectively, favored marketing quotas for the marketing years 1947-48 through 1949-50 by a percentage of 95.9 (11 F. R. 14509) in the case of Burley tobacco, and 97.1 (11 F. R. 9732) in the case of flue-cured tobacco.

The applicability of the regulations as issued with respect to each kind of tobacco will be contingent upon the proclamation of a national marketing quota pursuant to section 312 of the act, and in the cases of fire-cured and dark air-cured tobacco, upon approval of marketing quotas by growers voting in referenda.

Prior to the final adoption and issuance of these regulations, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than June 30, 1948.

Issued at Washington, D. C., this 7th day of June 1948.

[SEAL]

RALPH S. TRIGG,
Administrator

[F. R. Doc. 48-5197; Filed, June 9, 1948; 8:57 a. m.]

[7 CFR, Part 936]

FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure governing proceedings to

formulate marketing agreements and marketing orders, as amended (7 CFR and Supps. 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to proposed amendments to Marketing Agreement No. 85, as amended (hereinafter referred to as the "marketing agreement") and Order No. 36, as amended (7 CFR, Cum. Supp., Part 936) hereinafter referred to as the "order" regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) Interested parties may file exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 1846, South Building, Washington 25, D. C., not later than the close of business on the 10th day after publication hereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendments to the marketing agreement and order are formulated, was initiated by the Production and Marketing Administration as a result of proposed amendments received from the Control Committee, established pursuant to the marketing agreement and order as the agency to administer the terms and provisions thereof.

In accordance with the applicable provisions of the aforesaid rules of practice and procedure, a notice that a public hearing would be held at Sacramento, California, on April 12, 1948, to consider the proposed amendments, was published in the FEDERAL REGISTER (13 F. R. 1903) on April 7, 1948.

Material issues. The material issues presented on the record of the hearing were concerned with amending the marketing agreement and order to provide, with respect to fresh Bartlett pears, plums, and Elberta peaches produced in the State of California:

(1) For the establishment of minimum standards of quality and maturity to be effective during specified periods even though the seasonal average price of the respective fruit exceeds the parity level set forth therefor in section 2 (1) of the Agricultural Marketing Agreement Act of 1937, as amended;

(2) That whenever any grower furnishes proof satisfactory to a commodity committee, established for a particular fruit, that by reason of conditions beyond his control he will be prevented, because of a regulation then in effect governing the shipment of such fruit, from shipping, or having shipped, a percentage of his crop of such fruit equal to the percentage, determined by such committee, of all such fruit permitted to be shipped from his district, such committee shall issue an exemption certificate to such grower authorizing the shipment of a percentage of his crop of such fruit equal to the aforesaid percentage;

(3) With respect to the issuance of exemption certificates, that, in the event the commodity committee determines that by reason of general crop failure or any other unusual conditions within a particular district or districts it is not feasible or would not be equitable to issue such certificates on the basis of an individual district percentage, the average of the percentages for all districts shall be used;

(4) For the modification, suspension or termination by the Secretary of any regulation, theretofore issued and then in effect; and

(5) Authorization for the Control Committee to engage in such research and service activities in connection with the handling of such fruits as may be approved, from time to time, by the Secretary and for the financing of such activities.

Findings and conclusions. The findings and conclusions relating to the material issues are based upon the evidence introduced at the hearing and the record thereof, and are as follows:

(1) The marketing agreement and order should be amended to permit continued operation of the marketing agreement and order program under minimum standards of quality and maturity during periods when the respective seasonal average price of fresh Bartlett pears, plums, or Elberta peaches produced in the State of California exceeds the parity level set forth therefor in section 2 (1) of the Agricultural Marketing Agreement Act of 1937, as amended. During seasons when the average prices of these fruits were not in excess of their respective parity levels, grade and size regulations were made effective pursuant to the provisions of the marketing agreement and order. Considerable good will was obtained, during such periods, from consumers of these commodities by supplying them with mature and properly graded fruits. At other times when the seasonal average prices of these commodities were in excess of parity, the regulatory provisions of the program were rendered inoperative, as required by the Agricultural Marketing Agreement Act of 1937, as amended. The reversion by some members of these industries, because of the absence of grade and size regulations, to less rigid grading practices invariably destroyed some of the previously earned good will, since, in many instances, consumers were offered low quality fruit, off-grade fruit, and immature or cull fruit.

The suspension of regulations under the marketing agreement and order program has also seriously interfered with the activities of the Control Committee. At times suspension of such regulations has been required during the course of a marketing season. Such action usually resulted in the shipment of low-quality fruit during the remainder of such marketing season.

Public Law 305, 80th Congress, approved August 1, 1947, permits minimum standards of quality and maturity to be established and maintained in effect even though the seasonal average price of the regulated commodity is above parity if such action will effectuate orderly marketing in the public interest.

Through the use of minimum standards of quality and maturity during any season when the average price of the respective fruit covered by the marketing agreement and order program is above the parity level, the commodity committee established for such fruit would be in position to recommend that the Secretary regulate, to the extent prescribed by such minimum standards, the quality and maturity of shipments of such fruit at times when more stringent regulations may not be invoked. Such recommendations for the establishment of minimum standards of quality or maturity, or both, to govern the shipment of such fruit should be in terms of (i) minimum standards of maturity; (ii) freedom of fruit from material waste; (iii) freedom of fruit from material impairment of shipping quality; (iv) freedom of fruit from material impairment of edible quality; (v) freedom of fruit from serious damage to appearance; (vi) minimum size requirements; or (vii) any combination of the foregoing. Specification of the attributes or elements of maturity and quality is necessary in order to delineate the basis upon which any such recommendation should be made by a commodity committee.

The structure of the amendment, authorizing any commodity committee to recommend and the Secretary to establish on the basis of such recommendation or other available information minimum standards of quality and maturity, affords the necessary maximum flexibility in the establishment, modification, suspension, or termination of such minimum standards which would otherwise be absent if the specific standards were detailed in the amendment. It is impracticable to anticipate with precision the varying climatic and other conditions which may prevail during a particular marketing season and have a direct bearing on any prefigured, mandatory specifications of minimum standards of quality and maturity to be in effect during such season. As experience in the operation of this amendment demonstrates the exact needs, appropriate adjustments in the standards can be made readily.

The desirability of prohibiting the shipment of fruit which does not meet minimum standards of quality and maturity was emphasized at the hearing because of the tendency on the part of some growers and shippers in the industry to ship extremely poor quality fruit when prices are high. While there is a limited demand, in times of scarcity, for such fruit, no appreciable quantity can be expected to be marketed even at such times. The marketing of immature or low-quality fruit clearly is not in the best interest of consumers. The continued shipment of such immature or low-grade fruit would, because of the increasing consumer resistance thereto and because of the long distance over which most shipments of such fruit must travel to the eastern consuming markets, tend to result in direct financial loss to all elements of the industry. Such a development is not conducive to such orderly marketing of California fresh Bartlett pears, plums, and Elberta peaches as will

be in the public interest when prices are above parity.

The minimum standard of maturity to be made operative during periods when the seasonal average price of a particular fruit exceeds parity, should be based on the definition of maturity, which is contained in the applicable United States standards for such fruit.¹ Mature fruit reaches that stage of growth which permits the completion of the normal ripening process of such fruit. Immature fruit was shown to be fruit which could not reasonably be considered palatable or edible, and, hence, such fruit should not be shipped for consumption regardless of the level of prices to producers.

In the establishment of minimum standards of quality, consideration should be given to the five previously enumerated factors of (i) freedom of fruit from material waste, (ii) freedom of fruit from material impairment of shipping quality, (iii) freedom of fruit from material impairment of edible quality, (iv) freedom of fruit from serious damage to appearance, and (v) minimum size requirements. Since the presence of material waste adversely affects the measure of satisfaction which consumers may derive from purchases of such fruit, freedom of fruit from material waste should be one of the criterional factors bearing on the determination of minimum standards of quality. It is significant that the factor is not merely specified as "waste" rather it is specified as "material waste" which the evidence of record describes as serious damage to the edible portion of the fruit. Material waste was shown to result from severe scab, hail damage, or frost damage causing 10 percent or more waste of the edible portion of fruit. An example of material waste is provided by fruit which, in its growth, has developed rough, dry, usually discolored portions of the flesh of the fruit, due to drought spots or limb rubs, which are inedible and must be discarded by the consumer. The shipment of fruit with material waste will not effectuate orderly marketing of such fruit in the public interest regardless of the level of prices to producers.

Another factor to be considered in the determination of minimum standards of quality should be freedom of fruit from material impairment of shipping quality. This factor is of particular importance in producing areas located at great distances from consuming markets, as is the case in the California producing area since approximately 8 to 10 days transit time is required before the fruit is delivered to the principal eastern consuming markets. Material impairment of shipping quality was shown to result from the existence of worms, worm holes, decay, or excessive heat injury or sun scald. Serious mechanical injuries often result in deterioration of the fruit in transit and, consequently, are indicia of material impairment of the shipping

quality of fruit. Material impairment of shipping quality is of significance because decay or deterioration resulting from serious mechanical injuries increases during the period the fruit is in transit and tends to spread more rapidly after the fruit has arrived in the terminal markets and is no longer under refrigeration.

Freedom of fruit from material impairment of edible quality should also be given significant consideration in the establishment of minimum standards of quality. Fruit, the edible quality of which is only slightly affected, should not be considered in the establishment of minimum standards of quality but material impairment of the edible quality of fruit significantly affects adversely the consumer satisfaction derived from purchases of such fruit.

The evidence shows that freedom of fruit from serious damage to appearance should be another factor in the determination of minimum standards of quality, because serious damage to appearance directly affects the amount of waste or the proportion of edible flesh in the fruit. For example, fruit which is excessively abnormal in shape, excessively scarred or hail marked, or which had been subjected to severe freezing injury, is considered seriously misshapen. It is not in the public interest that any such fruit which is seriously or abnormally defective in shape be shipped to consuming markets, for such fruit will ultimately result in measurable waste at the time of consumption.

The evidence adduced at the hearing shows that the size of fresh Bartlett pears, plums, and Elberta peaches has a direct bearing upon the quality and flavor of the fruit and should be considered in the specification of minimum standards of quality. Fruit which is excessively small in relation to the normal size for the particular variety or strain is usually so inferior in palatability as not to be reasonably acceptable to consumers. Such extremely small-sized fruit was shown to have been the result of improper cultural practices or of some climatic or other factor which interfered with the normal development of the fruit. Small-sized fruit usually does not possess the flavor present in normal-sized fruit. In addition, there is excessive waste in small-sized fruit due to the high proportion of core or pit to flesh.

A close correlation was shown to exist among the foregoing factors of maturity and quality. The size of the various fruits subject to regulation under the marketing agreement and order program often provides an indication of the degree of maturity of the respective fruit and has a direct relationship to the proportion of waste usually found in such fruit. Serious damage to appearance of the fruit also is directly related to the aggregate amount of waste. Immaturity directly affects the edibility of fruit and usually results in waste. Material impairment of shipping quality also affects the edible quality of the fruit and often results in waste.

Section 2 (s) (8) of the marketing agreement and § 936.2 (s) (8) of the order should be amended to contain an

¹United States Standards for plums and prunes (fresh), 12 F. R. 2303; United States Standards for Peaches (12 F. R. 3798); and United States standards for summer and fall pears, such as Bartlett, Hardy, and other similar varieties (12 F. R. 3600).

appropriate reference to minimum standards of quality and maturity because recommendations by the various commodity committees, regarding such minimum standards, should be made in the light of the recommendations of the Sales Managers' Committee with respect thereto. The Sales Managers' Committee, consisting of handlers, is well qualified to provide guidance and counsel to the commodity committees by reason of their experience in handling the fruits covered by the marketing agreement and order.

The inspection requirements of section 4 of the marketing agreement and § 936.4 of the order should be made applicable to shipments of fruit when minimum standards of quality and maturity are in effect in order to provide for the proper administration of regulations that may be made effective during any period when the seasonal average price of a particular fruit covered by this regulatory program exceeds the parity level therefor.

(2) In order to continue to provide equitable treatment among growers, insofar as the effects of any given regulation or set of regulations is concerned, provision should be made to allow producers to ship, or have shipped, some fruit which otherwise would be prohibited by the regulations from being shipped. The exemption provisions hereinafter prescribed are designed to prevent the imposition of undue inequities as a consequence of the operation of the regulatory provisions of this marketing agreement and order program. The new provisions with respect to exemptions are based upon the existing exemption provisions and are designed to clarify and make more workable such provisions.

Each commodity committee established for a particular fruit should adopt the procedural rules to govern the issuance of exemption certificates, as hereinafter set forth, without delaying such action until one-half of the estimated seasonal shipments of such fruit has been made. The prerequisite determination that such shipments have been completed is currently required under the marketing agreement and order. Operations under the marketing agreement and order have demonstrated, since the inception of the program, that the same procedural rules may be used each season. To make the aforesaid prerequisite determination and announcement of the procedural rules each season whenever a particular commodity committee finds that one-half of the estimated shipments of such fruit in such marketing season has been shipped is impracticable because of lack of time in which the procedural rules can be made effective for use by the growers.

Upon the issuance of any regulation by the Secretary governing the handling of a particular fruit, the commodity committee established for such fruit should be required to determine for each district what the proportion of such fruit permitted to be shipped from such district is of the total quantity of such fruit which would be shipped from such district in the absence of such regulation. This determination should be made in

order to provide (a) an indication of the proportion of the total crop of a particular fruit in any district that will be prohibited from being shipped as a result of the regulation, and (b) a basis for the issuance of exemption certificates to growers who are inequitably affected as a result of such regulation.

Evidence adduced at the hearing shows that exemption certificates should be issued in the event the conditions prerequisite to their issuance are met. An exemption certificate should be issued to any grower who furnishes proof satisfactory to the appropriate commodity committee that by reason of conditions beyond his control he will be prevented, because of a regulation theretofore issued and then in effect, from shipping, or having shipped, a percentage of his crop of such fruit equal to the percentage, determined as aforesaid, of all such fruit permitted to be shipped from his district. The record shows that the basic principle governing the issuance of exemption certificates under the current program will not be changed under the proposed amendment. Rather, the amendment is designed to state clearly and expressly that an exemption certificate shall be issued to any grower who furnishes requisite proof that by reason of conditions beyond his control the shipment of his fruit would be unduly curtailed because of the existing regulation.

Conditions beyond the control of growers, such as hail, frost, or wind injury or widespread insect infestation, are in contrast to conditions resulting from the lack of observance of proper cultural and harvesting practices. Proper cultural care and adequate thinning are necessary to produce good merchantable fruit. Evidence of record shows that the lack of observance of such practices by growers in the production of their fruit should not be considered as a proper basis for the issuance of exemption certificates. The record further shows that it would not be equitable to permit growers who do not properly cultivate or thin their crops to be permitted to ship, through the means of exemption certificates, as large a proportion of their crops as those growers who did engage in such cultural practices.

If, in the event of a general crop failure or any other unusual condition within a particular district or districts, it is not feasible or would not be equitable to issue exemption certificates to growers on the basis of the percentage, determined as aforesaid, of fruit permitted to be shipped from the respective district, exemption certificates should be issued to growers on the basis of the average of all such percentages for all districts. It is manifest, from the evidence adduced at the hearing, that such exemption certificates should also be issued, for the reasons hereinbefore discussed, whenever the requisite proof is furnished by a grower that conditions beyond his control are the reason for such grower's application for an exemption certificate. The basic principle governing the issuance of exemption certificates will be the same as that currently employed under the marketing agreement and order program. Climatic conditions often result

in sudden crop disasters; and exemptions from regulations, if warranted, should be provided as quickly as possible. Hence, the provisions dealing with the issuance of exemption certificates in such instances should authorize the commodity committees to act promptly. Evidence of record shows that the use of the foregoing method of averaging the percentages of all districts will be equitable and will tend to expedite the issuance of exemption certificates.

The provisions in the existing marketing agreement and order specifying the activities of employees of various commodity committees with respect to the issuance of exemption certificates should be deleted since the activities and performance of employees of the commodity committees are directed by such committees. The provisions with respect to appeals from the action of a commodity committee regarding applications for exemption certificates should be continued in the amended program in order to permit any grower who is dissatisfied with such action to appeal to the Secretary for modification or reversal of such action.

The evidence adduced at the hearing supports the applicability of these exemption provisions to grade and size regulations that are effective during any period when the seasonal average price for the respective fruits covered by the program is not in excess of the particularly parity level. However, while it was asserted at the hearing, that such exemption provisions should also extend to regulations, prescribed minimum standards of quality and maturity, that are effective during any period when the respective seasonal average price is above the applicable level, no proof was offered to substantiate the proposal.

Each commodity committee should maintain adequate records of all applications submitted for exemption certificates and of all certificates issued, including the information used in determining, in each instance, the quantity of fruit to be so exempted and a record of all shipments of exempted fruit. Such data should be submitted, from time to time, to the Secretary in order to assure proper administration of these exemption provisions.

(3) Provision should be made for the modification of any or all regulations, issued by the Secretary pursuant to section 4 of the marketing agreement and § 962.4 of the order, if such modification will tend to effectuate the declared policy of the act. Provision should also be made for the suspension or termination by the Secretary of any such regulations which obstruct or do not tend to effectuate the declared policy of the act. These provisions should be stated explicitly in order to indicate clearly the plenary power of the Secretary with respect to such regulatory orders. Such action by the Secretary should be authorized not only on the basis of a committee's recommendation but also on the basis of information available to him.

Provision should be made for any commodity committee to recommend to the Secretary the modification, suspension, or termination of any or all regulations

established pursuant to this marketing agreement and order program, and to forward to the Secretary any such recommendation and pertinent information. The record shows that, especially in instances where sudden changes occur in the growing or marketing conditions so as to warrant an immediate modification of an existing regulation, action should be taken promptly by the committee to apprise the Secretary of the committee's recommendation in that regard. Any modification relaxing a regulation in effect should be made effective promptly in order to permit fruit which meets the requirements of such modification to be shipped to consuming markets under the program.

(4) The marketing agreement and order should be amended to authorize the Control Committee to engage in such research and service activities in connection with the handling of the fruit covered by this program as may be approved, from time to time, by the Secretary. Such activities are now added to the duties of the committee as authorized under Public Law 305, 80th Congress. The precise activities in which such committee may engage, are, of course, to be confined to those that are directly related to the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. The committee should be authorized to finance such activities from assessments collected under the marketing agreement and order program.

Rulings on proposed findings and conclusions. No brief or proposed finding or conclusion was submitted within the prescribed time.

General findings. (1) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, regulate the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held; and

(3) There are no differences in the production and marketing of fresh Bartlett pears, plums, and Elberta peaches grown in the production area covered by said marketing agreement, as hereby proposed to be amended, and said order, as hereby proposed to be amended, that make necessary different terms and provisions applicable to different parts of such area.

Recommended amendments to the marketing agreement and order. The following amendments to the marketing agreement and order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. Insert the following immediately preceding the period in section 1 (b) of the marketing agreement and § 936.1 (b) of the order: " and further amended by

Public Law 305, 80th Cong., approved August 1, 1947"

2. Insert, after the first semicolon in section 2 (s) (3) of the marketing agreement and § 936.2 (s) (3) of the order, the following: "to engage in such research and service activities in connection with the handling of such fruit as may be approved, from time to time, by the Secretary;"

3. In section 2 (s) (8) of the marketing agreement and § 936.2 (s) (8) of the order, insert the following immediately after the word "sizes" "or minimum standards of quality and maturity"

4. Delete the heading from section 4 of the marketing agreement and § 936.4 of the order and substitute, in lieu thereof, the following: "Regulation."

5. Delete the heading from section 4 (a) of the marketing agreement and § 936.4 (a) of the order, and substitute, in lieu thereof, the following: "By grades and sizes—(1) Recommendation."

6. Delete the paragraph designation "(b)" and its heading from section 4 of the marketing agreement and § 936.4 of the order and substitute, in lieu thereof, the following: "(2) Establishment."

7. Add to section 4 of the marketing agreement and § 936.4 of the order the following new paragraph:

(b) *By minimum standards of quality and maturity—(1) Recommendation.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to establish during any period minimum standards of quality or maturity, or both, to govern shipments of such fruit pursuant to this paragraph, it shall so recommend to the Secretary. Each such recommendation of the committee shall be in terms of (i) minimum standards of maturity (ii) freedom of fruit from material waste; (iii) freedom of fruit from material impairment of shipping quality; (iv) freedom of fruit from material impairment of edible quality; (v) freedom of fruit from serious damage to appearance; (vi) minimum size requirements; or (vii) any combination of the foregoing. With each such recommendation, the committee shall submit to the Secretary the information and data on which such recommendation is predicated; and such commodity committee shall also submit to the Secretary such other information as he may request.

(2) *Establishment.* Whenever the Secretary finds, from the recommendation and information submitted by a commodity committee established pursuant hereto for a particular fruit or from other available information, that to establish minimum standards of quality or maturity, or both, for such fruit and to limit the shipment of such fruit during any period to that meeting the minimum standards would be in the public interest and would tend to effectuate the declared policy of the act, he shall establish such standards, designate such period, and so limit the shipment of such fruit. The Secretary shall immediately notify such commodity committee of the minimum standards so established and the period so designated; and the committee shall give such notice thereof as may be reasonably calculated to bring such regula-

tion to the attention of all interested parties.

8. Delete the provisions in section 4 (c) *Exemptions* of the marketing agreement and § 936.4 (c) *Exemptions* of the order and insert, in lieu thereof, the following:

(1) Each commodity committee, established pursuant hereto for a particular fruit, shall, subject to the approval of the Secretary, adopt the procedural rules to govern the issuance of exemption certificates.

(2) In the event the Secretary issues a regulation for a particular fruit pursuant to the provisions in paragraph (a) of this section, the commodity committee established pursuant hereto for such fruit shall determine what the percentage of such fruit permitted to be shipped from each district is of the total quantity of such fruit which would be shipped from such district in the absence of such regulation. An exemption certificate shall thereafter be issued by such committee to any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping, or having shipped, a percentage of his crop of such fruit equal to the percentage, determined as aforesaid, of all such fruit permitted to be shipped from his district. The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of such fruit equal to the percentage determined as aforesaid. Each such commodity committee shall maintain a record of all applications submitted for exemption certificates pursuant to the provisions of this section, and shall maintain a record of all certificates issued, including the information used in determining in each instance the quantity of fruit thus to be exempted, and a record of all shipments of exempted fruit. Such additional information as the Secretary may require shall be recorded in the records of such committee. Each commodity committee shall, from time to time, submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of fruit thus exempted, and such additional information as may be requested by the Secretary.

(3) In the event the commodity committee, established pursuant hereto for a particular fruit, determines that by reason of general crop failure or any other unusual conditions within a particular district or districts, it is not feasible or would not be equitable to issue exemption certificates to growers within such district or districts on the basis set forth in subparagraph (2) of this paragraph, it may issue exemption certificates on the basis of the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be shipped from all districts. An exemption certificate shall thereafter be issued by such committee to any grower who furnishes proof satisfactory to such committee to the effect that such grower will be prevented, because of the aforesaid regulation, from shipping, or having shipped, as large a percentage of his crop

of such fruit as the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be shipped from all districts. The certificate shall permit such grower to ship, or have shipped, a percentage of his crop of such fruit equal to the average of the percentages determined as aforesaid.

(4) If any grower is dissatisfied with the action of a commodity committee taken with respect to his application for an exemption certificate, such power may appeal to the Secretary. *Provided*, That such appeal shall be made promptly. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the committee from which such appeal was taken. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary and any determination by the Secretary with respect to an exemption certificate shall be final and conclusive.

9. Insert before the period at the end of the first sentence of section 4 (d) of the marketing agreement and § 936.4 (d) of the order, the following: "or minimum standards of quality and maturity."

10. Insert, after the word "size" in the last sentence of section 4 (d) of the marketing agreement and § 936.4 (d) of the order, the following: "or quality and maturity"

11. Add the following new paragraph to section 4 of the marketing agreement and § 936.4 of the order:

(e) *Modification, suspension, or termination.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to recommend to the Secretary the modification, suspension, or termination of any or all of the regulations established pursuant to paragraphs (a) or (b) of this section, it shall so recommend to the Secretary. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that to modify any such regulations will tend to effectuate the declared policy of the act, he shall so modify such regulations. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that any such regulations obstruct or do not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulations. The Secretary shall immediately notify such commodity committee, and such commodity committee shall promptly give adequate notice to handlers and growers, of the issuance of each order modifying, suspending, or terminating any such regulations. In like manner and upon the same basis the Secretary may terminate any such modification or suspension.

12. Delete the first sentence in section 8 (a) of the marketing agreement and § 936.8 (a) of the order and insert, in lieu thereof, the following:

§ 936.8 *Expenses and assessments*—
(a) *Expenses.* The Control Committee is authorized to incur such expenses as the Secretary may find are reasonable

and are likely to be incurred by the Control Committee during the then current fiscal period for the maintenance and functioning of such committee and the respective commodity committees, and for such research and service activities relating to the handling of fruit as the Secretary may determine to be appropriate. * * *

13. Delete the last sentence of section 8 (b) of the marketing agreement and § 936.8 (b) of the order.

Filed at Washington, D. C., this 7th day of June 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator Pro-
duction and Marketing Ad-
ministration.

[F. R. Doc. 48-5199; Filed, June 9, 1948;
8:58 a. m.]

[7 CFR, Part 978]

[Docket No. AO 184-A1]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMEND- MENTS TO TENTATIVE MARKETING AGREE- MENT AND TO ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps. 900.1 et seq., 12 F. R. 159, 4904) notice is hereby given of a public hearing to be held in the Hotel Noel, at Nashville, Tennessee, beginning at 9:30 a. m., c. d. t., on June 15, 1948, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth to the tentative marketing agreement, as heretofore approved (12 F. R. 7082) by the Secretary of Agriculture, and to the order regulating the handling of milk in the Nashville, Tennessee, milk marketing area (12 F. R. 7320). These proposed amendments have not received the approval of the Secretary of Agriculture.

The following amendments have been proposed:

By the Dairy Branch, Production and Marketing Administration:

1. Delete § 978.1 (m) and substitute therefor the following:

(m) "Other source milk" means all skim milk and butterfat received in any form from a producer-handler and from a source other than producers or other handlers; except any nonfluid milk product which is received and disposed of in the same form.

By the Nashville Milk Producers, Inc..
2. Delete § 978.4 (f) and substitute therefor the following:

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of butterfat remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(i) Subtract allowable shrinkage of butterfat from the total pounds of butterfat in Class III milk;

(ii) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced available use, the pounds of butterfat in other source milk;

(iii) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of butterfat remaining in Class III milk the pounds of butterfat subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of butterfat remaining in all classes exceed the pounds of butterfat in producer milk, subtract such excess from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced utilization.

(2) Allocate the pounds of skim milk in each class to producer milk in the same manner prescribed for butterfat in subparagraph (1) of this paragraph: *Provided*, That when the pounds of skim milk contained in the total hundredweight of producer milk received by all handlers, who made the reports prescribed by § 978.3 (a) for such delivery period, except those in default of payments required pursuant to § 978.8 (c) for the preceding delivery period, is less than 105% of the total skim milk of all such handlers classified as Class I skim milk, Class II skim milk and that portion of Class III skim milk used to produce cottage cheese, the pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds of skim milk in each class allocated to producer milk received by such handler.

(i) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class III milk;

(ii) Subtract: (a) from the pounds of skim milk remaining in Class III the pounds of skim milk other than that used to produce cottage cheese; (b) from the pounds of skim milk remaining in each class, pro rata, the pounds of skim milk in other source milk less the pounds of skim milk used to produce Class III items other than cottage cheese;

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of skim milk remaining in Class III milk the pounds of skim milk subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

By Handlers:

3. Delete § 978.4 (f) and substitute therefor the following:

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of butterfat remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(i) Subtract allowable shrinkage of butterfat from the total pounds of butterfat in Class III milk;

(ii) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced available use, the pounds of butterfat in other source milk;

(iii) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of butterfat remaining in Class III milk the pounds of butterfat subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of butterfat remaining in all classes exceed the pounds of butterfat in producer milk, subtract such excess from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced utilization.

(2) When the pounds of skim milk contained in the total hundredweight of producer milk received by all handlers who made the reports prescribed by § 978.3 (a) for the delivery period, except those in default of payments required pursuant to § 978.8 (c) for the preceding delivery period, is equal to 105% or more than 105% of the total skim milk of all such handlers classified for the delivery period as Class I skim milk, Class II skim milk and that portion of Class III skim milk used to produce cottage cheese, the pounds of skim milk in each class allocated to producer milk received by each handler for the delivery period shall be computed in the same manner prescribed for the allocation of butterfat in subparagraph (1) of this paragraph.

When the pounds of skim milk contained in the total hundredweight of producer milk received by all handlers who made the reports prescribed by § 978.3 (a) for the delivery period, except those in default of payments required pursuant to § 978.8 (c) for the preceding delivery period, is less than 105% of the total skim milk of all such handlers classified as Class I skim milk, Class II skim milk and that portion of Class III skim milk used to produce cottage cheese, the pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds of skim milk in each class allocated to producer milk received by such handler:

(i) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class III milk.

(ii) Subtract from the pounds of skim milk remaining in each class, pro rata, the pounds of skim milk in other source milk.

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section.

(iv) Add to the pounds of skim milk remaining in Class III milk the pounds of skim milk subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

By the Nashville Milk Producer, Inc..

4. Delete § 978.7 (b) (3) and (5) and substitute therefor the following:

(3) Add an amount representing: (i) The cash balance on hand in the producer-settlement fund pursuant to subparagraph (5) (i) of this paragraph, less the total amount of contingent obligations to handlers pursuant to § 978.8 (d) (ii) for each of the delivery periods of September, October, and November, beginning September 1949, one-third of the aggregate cash balance established during the delivery periods of April, May, and June immediately preceding pursuant to subparagraph (5) (ii) of this paragraph;

(5) Subtract: (i) Not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against error in reports and payments or delinquencies in payments by handlers; (ii) 40 cents for each of the delivery periods of April, May, and June, beginning April 1949, for the purpose of establishing and retaining in the producer-settlement fund a cash balance for disbursement pursuant to § 978.7 (b) (3) (ii) as an incentive for fall season production. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

By Handlers:

5. Delete § 978.7 (b) (3) and (5) and substitute therefor the following:

(3) (i) Add an amount equivalent to the cash balance on hand in the producer settlement fund established by the provisions of subparagraph (5) (i) of this paragraph less the total amount of contingent obligations to handlers pursuant to § 978.8 (d)

(ii) For each of the delivery periods of September, October, and November, beginning September 1949, also add an amount equivalent to one-third of the total of the three amounts representing the cash balance established during the delivery periods of April, May, and June immediately preceding as a fall season production incentive pursuant to subparagraph (5) (ii) of this paragraph.

(5) (i) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers;

(ii) For each of the delivery periods of April, May, and June, beginning April 1949, also subtract 50 cents, for the purpose of establishing in the producer-settlement fund a cash balance for distribution pursuant to § 978.7 (b) (3) (ii) as an incentive for fall season production. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

By the Dairy Branch, Production and Marketing Administration:

6. Make such other changes as may be required to make the entire marketing agreement and the order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing and of the tentative marketing agreement, and the order now in effect, may be procured from the market administrator, 402 Presbyterian Building, Nashville 3, Tennessee, or from the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated June 7, 1948, Washington, D. C.

JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-5198; Filed, June 9, 1948; 8:57 a. m.]

17 CFR, Part 9821

HANDLING OF PEACHES GROWN IN NORTH AND SOUTH CAROLINA

DETERMINATION OF REFERENDUM RESULTS

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, and Supps., 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4804), a public hearing was held upon a proposed marketing agreement and a proposed marketing order regulating the handling of peaches grown in North and South Carolina. The recommended decision was made by the Acting Assistant Administrator, Production and Marketing Administration on April 15, 1948 (F. R. Doc. 48-3471; 13 F. R. 2093) and the decision of the Acting Secretary of Agriculture was issued on May 5, 1948 (F. R. Doc. 48-4193; 13 F. R. 2543) together with an order directing the conduct of a referendum among producers upon the question of issuing the aforesaid marketing order (F. R. Doc. 48-4192; 13 F. R. 2549).

Such referendum having been held and duly concluded, it is hereby found and determined that the issuance of a marketing order regulating the handling of peaches grown in North and South Carolina has not been approved or favored by at least two-thirds of the producers who, during the period March 1, 1947-February 29, 1948 (determined to be a representative period), were engaged in the production of peaches in North or South Carolina and participated in the referendum conducted pursuant to said

act, or by those producers who, during the aforesaid representative period, produced for market within North and South Carolina at least two-thirds of the volume of peaches produced for market within said States during such period by all producers who participated in the said referendum, as required by the said act; and that, therefore, said marketing order may not be made effective.

Done at Washington, D. C. this 4th day of June 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-5160; Filed, June 9, 1948;
8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Part 692]

MINIMUM WAGE RATES IN RAILROAD, RAILWAY EXPRESS, AND PROPERTY MOTOR TRANSPORT INDUSTRY IN PUERTO RICO

RECOMMENDATIONS OF SPECIAL INDUSTRY COMMITTEE NO. 5

Pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp. 1001) and the rules of practice governing this proceeding (12 F. R. 7890, 7891) notice is hereby given of the decision of the Acting Administrator of the Wage and Hour Division, United States Department of Labor, with respect to the recommendations of Special Industry Committee No. 5 for Puerto Rico for minimum wage rates in the railroad, railway express, and property motor transport industry in Puerto Rico, and of the wage order which he proposes to issue pursuant thereto. The decision and proposed wage order are set forth below. Interested parties may submit written exceptions thereto to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 15 days from publication of this notice in the FEDERAL REGISTER. Exceptions should be submitted in quadruplicate, and should include supporting reasons for any exceptions presented.

Signed at Washington, D. C., this 1st day of June 1948.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator
Wage and Hour Division.

Whereas, on June 16, 1947, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter called the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 367, appointed Special Industry Committee No. 5 for Puerto Rico, hereinafter called the Committee, and directed the Committee to proceed first to investigate conditions and to recommend to him minimum wage rates for employees in the sugar manufacturing industry in Puerto Rico, as defined in Administrative Order No. 367, and

thereafter to investigate conditions and to recommend to him minimum wage rates for employees in other industries enumerated and defined in the order, as amended by Administrative Order No. 369, including the railroad, railway express, and property motor transport industry in Puerto Rico, in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas, the Committee for purposes of investigating conditions and recommending minimum wage rates for employees in the railroad, railway express, and property motor transport industry in Puerto Rico, included three interested persons representing the public, a like number representing employers and employees in the railroad, railway express, and property motor transport industry in Puerto Rico, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico; and

Whereas, the Committee, after investigating economic and competitive conditions in the railroad, railway express, and property motor transport industry in Puerto Rico, filed a report with the Administrator containing (a) its recommendations that the railroad, railway express, and property motor transport industry in Puerto Rico, as defined in Administrative Order No. 367, be divided into separable divisions for the purpose of fixing minimum wage rates; (b) the titles and definitions recommended by the Committee for such separable divisions of the industry; and (c) its separable recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in the separable recommended divisions of the railroad, railway express, and property motor transport industry in Puerto Rico, namely:

(1) 25 cents an hour to employees in the railroad division; and

(2) 35 cents an hour to employees in the railway express and property motor transport division; and

Whereas, pursuant to notice published in the FEDERAL REGISTER on January 8, 1948, and circulated to all interested persons, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson in Washington, D. C., on February 4, 1948, at which all interested persons were given an opportunity to be heard; and

Whereas, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendations of the Committee for minimum rates in the railroad, railway express, and property motor transport industry in Puerto Rico, as defined, were made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas, I have set forth my decision in a document entitled "Findings and Opinion in the Matter of the Recommendations of Special Industry Commit-

tee No. 5 for Puerto Rico for Minimum Wage Rates in the Railroad, Railway Express, and Property Motor Transport Industry in Puerto Rico," a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.,

Now, therefore, it is ordered, That:

Sec.

692.1 Approval of recommendations of Industry Committee.

692.2 Wage rates.

692.3 Notices of order.

692.4 Definitions of the railroad, railway express, and property motor transport industry in Puerto Rico.

§ 692.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations are hereby approved.

§ 692.2 *Wage rates.* (a) Wages at a rate of not less than 25 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the railroad division of the railroad, railway express, and property motor transport industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce;

(b) Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the railway express and property motor transport division of the railroad, railway express, and property motor transport industry in Puerto Rico who is engaged in commerce or in the production of goods, for commerce.

§ 692.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the railroad, railway express, and property motor transport industry in Puerto Rico shall keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 692.4 *Definition of the railroad, railway express, and property motor transport industry in Puerto Rico.* (a) The railroad, railway express, and property motor transport industry in Puerto Rico, to which this order shall apply, is hereby defined as follows:

(1) The industry carried on in Puerto Rico by any railroad carrier under public franchise which holds itself out to the general public to engage in the transportation for compensation of passengers and property in or for commerce or of passengers and property necessary for the production of goods for commerce, and which furnishes transportation service for passengers in an amount not less than \$25,000 annually or which derives at least ten percent of its total operating revenues from passenger transportation service.

(2) The industry carried on in Puerto Rico by any railway express company which holds itself out to the general

* Filed as part of original document. Copies available on request at Wage and Hour Division, Department of Labor, Washington, D. C.

public to engage in the transportation for compensation of property in or for commerce or of property necessary to the production of goods for commerce.

(3) The industry carried on in Puerto Rico consisting of the transportation, for compensation, by motor vehicle, of property in or for commerce or of property necessary to the production of goods for commerce.

This definition supersedes the definition contained in any and all wage orders heretofore issued for other industries to the extent that such definitions include activities covered by the definition of this industry.

(b) The separable divisions of the industry as above defined to which this wage order and its several provisions shall apply, are hereby defined as follows:

(1) *The railroad division.* This division consists of the industry carried on in Puerto Rico by any railroad carrier under public franchise which holds itself out to the general public to engage in the transportation for compensation of passengers and property in or for commerce or of passengers and property necessary to the production of goods for commerce, and which furnishes transportation service for passengers in an amount not less than \$25,000 annually or which derives at least ten percent of its total operating revenues from passenger transportation service.

(2) *The railway express and property motor transport division.* This division consists of (i) the industry carried on in Puerto Rico by any railway express company which holds itself out to the general public to engage in the transportation for compensation of property in or for commerce or of property necessary to the production of goods for commerce, and (ii) the industry carried on in Puerto Rico consisting of the transportation, for compensation, by motor vehicle, of property in or for commerce or of property necessary to the production of goods for commerce.

Effective date. This wage order shall become effective August 2, 1948.

(Sec. 5 (e) and 8 of the Fair Labor Standards Act of 1938, (sec. 3 (c) 54 Stat. 615, sec. 8, 52 Stat. 1064; 29 U. S. C. 205 (e) 208))

Signed at Washington, D. C., this 1st day of June 1948.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator
Wage and Hour Division.

[F. R. Doc. 48-5120; Filed, June 9, 1948; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 40, 41, 42, 43, 61]

AUTHORIZATION FOR OPERATION OF BOEING 377 AIRCRAFT IN CARGO AND MAIL SERVICE UNDER PROVISIONS OF AN EXPERIMENTAL AIRWORTHINESS CERTIFICATE

NOTICE OF PROPOSED RULE MAKING

JUNE 4, 1948.

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Bureau, notice is hereby given that the

Bureau will propose to the Board a Special Civil Air Regulation as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Safety Bureau, Washington 25, D. C. All communications received within 15 days after the date of this publication will be considered by the Board before taking further action on the proposed rule.

At the present time aircraft utilized in air carrier operations are required to possess standard airworthiness certificates issued in accordance with the applicable airworthiness requirements of the Civil Air Regulations. This requirement precludes the use of other than these aircraft in air carrier service even though passengers are not to be carried.

It is the opinion of the Safety Bureau that certain aircraft which have substantially completed the required type certification process but have not yet been shown to fully comply with the required reliability and functional requirements may be safely utilized in cargo and mail service prior to final certification. In view of the fact that only a limited number of aircraft are designed for air carrier use, the administrative burden of determining whether an aircraft may be so used prior to completion of the certification process is not onerous, and it is believed that the Board may decide each case on an individual basis.

The Boeing 377 aircraft has substantially completed the required flight tests but has not as yet completed the reliability and functional service tests required for certification of the aircraft in accordance with the transport category requirements of the Civil Air Regulations. The proposed regulation would authorize the Boeing 377 aircraft, bearing an experimental airworthiness certificate, to be used in air carrier service in the carriage of cargo and mail only. This authorization will enable this model aircraft to obtain extensive service testing under actual air carrier operating conditions prior to the issuance of the type certificate for such model. It appears that more valuable information could be obtained regarding the performance and reliability of the model under varying operating conditions by extensive testing in air carrier service than would be obtained by a simulated service test, and that all possible data should be obtained prior to the issuance of the type certificate which would qualify the aircraft for use in passenger operations.

The text of the proposed Special Civil Air Regulation is as follows:

Notwithstanding any contrary provisions of the Civil Air Regulations, the Administrator may authorize the Boeing Model 377 aircraft, bearing an experimental airworthiness certificate, to be used in air transportation for the carriage only of cargo and mail prior to the issuance of a type certificate. *Provided, That:*

(a) An application for a type certificate has been made;

(b) The Administrator finds that the experience to be gained through such

operation may be expected to improve safety in air transportation;

(c) The Administrator finds the aircraft in safe condition for this purpose, based upon examination and tests already accomplished;

(d) The number of aircraft employed and the duration of the authorization for such operation will not exceed that necessary for the attainment of the above objective;

(e) Such records are maintained and furnished to the Administrator as he finds are necessary for the above objective.

This regulation shall terminate December 15, 1948.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C. 425 (a) 551-560)

By the Safety Bureau.

[SEAL] JOHN M. CHAMBERLAIN,
Assistant Director (Regulations)

[F. R. Doc. 48-5195; Filed, June 9, 1948; 8:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[147 CFR, Part 31]

[Docket Nos. 8975, 8736]

PROCEDURE GOVERNING HOLDING OF TELEVISION HEARINGS

ORDER CONTINUING HEARING ON PROPOSED RULE MAKING

In the matter of amendment of § 3.606 of the Commission's rules and regulations.

At a meeting of the Federal Communications Commission held at its office in Washington, D. C., on the 8th day of June 1948.

It appearing that, as a result of the numerous notices of appearance which have been filed in the above captioned proceeding, a great many of which were filed on the last day on which such action could be taken, interested parties and the Commission's staff have not been afforded adequate opportunity to fully apprise themselves of the contents of statements filed with said notices of appearance; and

It further appearing that in order that all participants in said proceeding may have adequate time to become acquainted with the issues herein and prepare more fully the testimony which they propose to submit at the hearing, a continuance of said hearing would be in the public interest;

It is ordered, That the hearing in the above-captioned proceeding is continued to June 29, 1948, at 10 a. m.

It is further ordered, That, notwithstanding the requirement that appearances and statements were to be filed by May 28, 1948, interested persons who desire to present testimony in opposition to or in support of any proposals submitted by other interested persons on or before May 28, 1948, will be permitted to do so if notices of appearance are filed by such persons not later than the close of busi-

ness on June 18, 1948, except that no new proposals will be accepted.

It is further ordered, That five copies of all engineering exhibits be filed with the Commission by the close of business on June 18, 1948, and that a copy of each such exhibit shall be available for inspection by interested persons in the public reference room of the Commission.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-5243; Filed, June 9, 1948;
12:10 p. m.]

FEDERAL POWER COMMISSION

[18 CFR, Parts 11, 131]

[Docket No. R-108]

ANNUAL CHARGES PRESCRIBED FOR LICENSEES UNDER PROVISIONS OF FEDERAL POWER ACT

NOTICE OF PROPOSED RULE MAKING

APRIL 14, 1948.

(1) Notice is hereby given of proposed rule making in the above-entitled matter.

(2) Under section 10 (e) of the Federal Power Act, licenses for hydroelectric power projects are required to carry a condition that reasonable annual charges shall be fixed by the Commission, provided, however, that State and municipal licensees may claim exemption under section 10 (e) of the act from payment of such charges as provided by the proposed amendment of § 11.24 of the Commission's rules.

(3) Pursuant to the authority vested in it by the Federal Power Act, particularly sections 10 (e) and 309 thereof (49 Stat. 843, 858; 16 U. S. C. 803 (e) 825 (h)) the Commission proposes to amend §§ 11.20; 11.24, 11.27 and 131.70 of its rules in connection with annual charges for licenses issued for hydroelectric projects by amendments in the following form:

§ 11.20 *Costs of administration.* Reasonable annual charges will be assessed by the Commission against individual licensees for reimbursing the United States for the costs of administration of Part I of the Federal Power Act as follows unless otherwise specifically provided in the license:

(a) For projects of more than 100 horsepower of installed capacity:

(1) A charge of one cent per horsepower of the horsepower capacity authorized to be installed by the license; and

(2) A charge of two and one-half cents per thousand kilowatt-hours of power generated by each project during the calendar year for which the charge is made.

(b) (1) To enable the Commission to determine such charges annually each licensee (other than State or municipal) shall file with the Commission, on or before February 1 of each year, a statement under oath showing the gross amount of power generated (or produced by non-electrical equipment) by the project during the preceding calendar year, expressed in kilowatt-hours.

(2) To enable the Commission to determine such charges annually and to

compute on the bill for annual charges the exemption to which a State or municipal licensee is entitled because of the use of power by the licensee for State or municipal purposes, each State or municipal licensee shall file with the Commission, on or before February 1 of each year, a statement under oath showing the following information with respect to the power generated by the project and the disposition thereof during the preceding calendar year, expressed in kilowatt-hours:

(i) Gross amount of power generated by the project.

(ii) Amount of power used for station purposes, lost in transmission, etc.

(iii) Net amount of power available for sale or use by licensee, classified as follows:

(a) Used by licensee;

(b) Sold by licensee.

(3) When the power from a licensed project owned by a State or municipality enters into its electric system, making it impracticable to meet the requirements of paragraph (b) (2) of this section with respect to the disposition of project power, such licensee may, in lieu thereof, furnish similar information with respect to the disposition of the available power of the entire electric system of the licensee.

(c) For projects of 100 horsepower or less of installed capacity the charge shall be \$5 per annum, subject to the provisions of § 11.23.

(d) For projects involving transmission lines only the administration charge shall be a minimum of \$5 per annum.

(e) For projects not covered by the above sections, reasonable annual charges will be fixed by the Commission after consideration of the facts in each case.

§ 11.24 *Exemption of State and municipal licensees—(a) Bases for exemption.* A State or municipal licensee may claim total or partial exemption upon one or more of the following grounds:

(1) The project was primarily designed to provide or improve navigation;

(2) To the extent that power generated, transmitted, or distributed by the project was sold directly or indirectly to the public (ultimate consumer) without profit;

(3) To the extent that power generated, transmitted, or distributed by the project was used by the licensee for State or municipal purposes.

(b) *Projects primarily for navigation.* No State or municipal licensee shall be entitled to exemption from the payment of annual charges on the ground that the project was primarily designed to provide or improve navigation unless the licensee establishes that fact from the actual conditions under which the project was constructed and operated.

(c) *State or municipal use.* A State or municipal licensee shall be entitled to exemption from the payment of annual charges for the project to the extent that power generated, transmitted, or distributed by the project is used by the licensee itself for State or municipal purposes, such as lighting streets, highways, parks, public buildings, etc., for operating li-

censee's water or sewerage system, or consumed in performing other public functions of the licensee.

(d) *Sales to public.* No State or municipal licensee shall be entitled to exemption from the payment of annual charges on the ground that power generated, transmitted, or distributed by the project is sold to the public without profit, unless such licensee shall show:

(1) That it maintains an accounting system which segregates the operations of the licensed project and reflects with reasonable accuracy the revenues and expenses of the project;

(2) That an income statement, prepared in accordance with the Commission's Uniform System of Accounts, shows that the revenues from the sale of project power do not exceed the reasonable total amount of operating expenses, maintenance, depreciation, amortization, taxes, and interest on indebtedness, applicable to the project property. Periodic accruals or payments for redemption of the principal of bonds or other indebtedness may not be deducted in determining the net profit of the project.

(e) *Sales for resale.* Notwithstanding compliance by a State or municipal licensee with the requirements of paragraph (d) of this section, it shall be subject to the payment of annual charges to the extent that electric power generated, transmitted, or distributed by the project is sold to another State, municipality, person, or corporation for resale, unless the licensee shall show that the power was sold to the ultimate consumer without profit. The matter of whether or not a profit was made is a question of fact to be established by the licensee.

(f) *Interchange of power.* Notwithstanding compliance by a State or municipal licensee with the requirements of paragraph (d) of this section, it shall be subject to the payment of annual charges to the extent that power generated, transmitted, or distributed by the project was supplied under an interchange agreement to a State, municipality, person, or corporation for sale at a profit (which power was not offset by an equivalent amount of power received under such interchange agreement) unless the licensee shall show that the power was sold to ultimate consumers without profit.

(g) *Construction period.* During the period when the licensed project is under construction and is not generating power, it will be considered as operating without profit within the meaning of this section, and licensee will be entitled to total exemption from the payment of annual charges, except as to those charges relating to the use of a Government dam or tribal lands within Indian reservations.

(h) *Optional showing.* When the power from the licensed project enters into the electric power system of the State or municipal licensee, making it impracticable to meet the requirements set forth in this section with respect to the operations of the project only, such licensee may, in lieu thereof, furnish the same information with respect to the operations of said electric power system as a whole.

(i) *Application for exemption.* Application for exemption from payment of annual charges shall be prepared on forms prescribed by the Commission and shall be signed by an authorized executive officer of the licensee and verified under oath. An original and three copies of such application shall be filed with the Commission within the time allowed (by § 11.27) for the payment of the annual charges; *Provided, however,* That if the licensee shall within the time allowed for the payment of the annual charges file notice that it intends to file application for exemption, an additional period of 30 days is allowed within which to complete and file the application for exemption.

§ 11.27 *Payment of charges.* Annual charges shall be paid within 30 days of rendition of a bill therefor by the Commission, except that licensees located outside the continental limits of the United States shall be allowed a period of 45 days after rendition of the bill.

§ 131.70 *Form of application by State and municipal licensees for exemption from payment of annual charges.*

NOTE: Copies of this form are filed as part of the original document and are available upon request from the Federal Power Commission, Washington 25, D. C.

(4) Any interested person may submit to the Federal Power Commission, Washington 25, D. C., not later than 30 days from the date of the publication of this notice in the FEDERAL REGISTER, data, views and comments in writing concerning the proposed amendments. The Commission will consider these written submittals before acting upon the proposed amendments.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5135; Filed, June 9, 1948;
8:46 a. m.]

[18 CFR, Part 101, 141]

[Docket No. R-109]

ANNUAL REPORT FOR ELECTRIC UTILITIES AND LICENSEES; UNIFORM SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSEES

NOTICE OF PROPOSED RULE MAKING

APRIL 28, 1948.

Amendment of rules prescribing the form and filing of annual reports, FPC Form No. 1, for electric utilities and licensees (Classes A and B) and amendment of General Instruction 2 of Uniform System of Accounts prescribed for public utilities and licensees subject to the provisions of the Federal Power Act.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend § 141.1 entitled "Annual Report, Form No. 1, Electric Utilities and Licensees (Classes A and B)" of Part 141, Statements and Reports, Subchapter D, Approved Forms, Federal Power Act, Chapter I of Title 18, Code of Federal Regulations, to prescribe the accompanying revised Annual Report Form for Electric Utilities and Licensees (Classes A and B) including the revised

instructions and schedules therein contained, to be prepared and filed annually with the Commission. The revised form here proposed, if adopted, will supersede FPC Form No. 1, heretofore adopted and prescribed by the Commission's order dated August 6, 1937, as amended by its orders dated October 12, 1937, October 22, 1938, and October 17, 1939, and Order No. 75, dated September 24, 1940.

NOTE: The proposed revised Annual Report Form referred to herein was filed with the original document. Copies may be obtained from the Federal Power Commission, Washington 25, D. C.

3. In connection with the adoption of the accompanying new Annual Report Form, it appears desirable and accordingly it is proposed to amend § 101.03-2 entitled "Records" of Part 101, Uniform System of Accounts Prescribed for Class A and Class B Public Utilities and Licensees, Subchapter C, Accounts, Federal Power Act, Chapter I of Title 18, Code of Federal Regulations,¹ by adding a new paragraph to read as follows:

(h) The arrangement and order in which the accounts are presented in this system of accounts are not to be interpreted as determinative of the arrangement and order in which they will be scheduled in the report forms prescribed by the Commission.

4. The rules and form proposed to be amended were initially developed in collaboration with the Committee on Statistics and Accounts of the National Association of Railroad and Utilities Commissioners. The new form and amendments here proposed reflect and propose to give effect to changes and improvements recently recommended by that Committee, including changes and amendments recommended by the said Committee in its reports to the Association at its last two national conventions, at Los Angeles, California, November 12-15, 1946, and at Boston, Massachusetts, July 14-17, 1947.

5. During recent years the foregoing Committee on Statistics and Accounts has conferred with representatives of the utility industry and interested governmental agencies to consider changes and improvements in the Annual Report Form requirements of the various utility regulatory commissions, including this Commission. As a result of the conferences and study made by the aforesaid Committee numerous changes were developed and have been incorporated into the revised Annual Report Form proposed in this notice. The new Report Form requirements proposed give effect to several industry suggestions for simplification of schedules as well as for the elimination of some schedules previously prescribed. In a few instances additional information is to be required but only where it appears needed in con-

¹ The reference to the Code of Federal Regulations, 18 CFR 101.03-2 corresponds to General Instruction 2, entitled "Records" appearing at pages 8-9 of the Commission's pamphlet publication of its Uniform System of Accounts prescribed for Public Utilities and Licensees subject to the provisions of the Federal Power Act, effective January 1, 1937.

nection with the Commission's administration of the Federal Power Act.

6. It is to be noted that the new Annual Report Form proposed to be adopted is adaptable to machine reproduction through the use of die-impressed stencils, thereby meeting the needs of the many reporting utilities and licensees that require so large a number of copies that duplication through the use of carbon is impracticable.

7. It is also to be noted that the general instructions included in the new form have been revised. General Instruction No. 1 specifies generally the persons required to file reports. Instruction No. 2 specifies that the schedules with page numbers ending with the "M" suffix are applicable only to municipal and other public corporations, agencies, authorities, and instrumentalities. Likewise, Instruction No. 3 specifies that only licensees are required to fill out the schedules included in the "Licensed Project Section" at page numbers 123 through 140 of the new Report Form. In that section no changes are being proposed as a part of the new Annual Report Form proposed by this notice.

8. The amendments to the Commission's rules herein described and set forth are proposed to be issued under the authority granted the Federal Power Commission by the Federal Power Act, particularly sections 3 (13) 4 (a) through (c) 301 (a) 304 (a) 309 and 311 thereof (49 Stat. 838, 839, 854, 855, 858, 859; 16 U. S. C. 796 (13) 797 (a) through (c) 825 (a), 825c (a) 825h, 825j).

9. Any interested persons may submit to the Federal Power Commission, Washington 25, D. C., not later than July 15, 1948, data, views and comments in writing concerning the proposed amendments. The Commission will consider these written submittals before acting upon the proposed amendments.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4916; Filed, June 9, 1948;
9:00 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 151]

[Docket No. FDC 21 (b)]

BROMATED FLOUR AND ENRICHED BROMATED FLOUR; AMENDED DEFINITIONS AND STANDARDS OF IDENTITY

NOTICE OF PROPOSED RULE MAKING

It is proposed that by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1045, 1055; 21 U. S. C. 341, 371) and on the basis of evidence received at the hearing held pursuant to the notice published in the FEDERAL REGISTER on February 21, 1948 (13 F. R. 814, 815) and upon consideration of the brief filed on behalf of the Millers' National Federation, the following order be made:

*Findings of fact.*¹ 1. By order published in the FEDERAL REGISTER May 27, 1941 (6 F. R. 2579; 21 CFR, Cum. Supp., 15.20, 15.30) the standards of identity for bromated flour and enriched bromated flour provided for the addition of potassium bromate in quantities not exceeding 75 parts per million to flour or enriched flour, the protein content of which, on a moisture-free basis, was not less than 15 percent (approximately 13.5 percent on an "as is" moisture basis)

2. Since the promulgation of the present standards for bromated flour and enriched bromated flour in 1941, additional experimentation and the experience of millers and bakers have shown that the addition of small amounts of potassium bromate to some flours containing less than 15 percent protein on a moisture-free basis will improve their baking qualities in much the same way as with flours containing more than 15 percent protein. (R. 17-18, 29-31, 40-42, 44, 61-63, 84-87, 97, 110, 116-117, 161-162, 174-176; Ex. 5, 8, 10, 13)

3. Increased experience with the use of potassium bromate in flour of various protein contents shows the added potassium bromate need not exceed 50 parts per million of the finished bromated flour for the purpose of obtaining the improvements in baking quality made possible by the use of this substance. (R. 17, 29, 48-49, 51, 78; Ex. 7)

4. Flour of protein content lower than 15 percent on a moisture-free basis is used for both home and commercial baking and for many purposes in addition to the baking of bread. While improved baking qualities are apparent when some bromated lower protein flours are used in the production of yeast-leavened bread, little or no improved baking qualities have been observed when such flour is used in the production of other baked products. However, in those flours whose baking qualities are not improved it does not appear that bromating in quantities under 50 parts per million interferes with their use. (R. 44, 64-66, 68-72, 79, 102, 116-117, 121-122; Ex. 5, 8, 10, 13)

5. It is common practice for millers, before bromating to test flours for their response to additions of potassium bromate and to bromate only those flours

whose baking qualities are improved thereby. (R. 19, 31, 40, 45-46, 68-71, 91, 100-101, 108; Ex. 10)

6. When flour to which potassium bromate has been added in amounts less than 50 parts per million is used in the preparation of yeast-leavened bread and rolls and in the preparation of cakes containing eggs, the potassium bromate is not found in the finished baked product. It is apparently all converted to potassium bromide. In general, in the case of biscuits and various other baked products made with such flour, only a partial conversion takes place, and residual potassium bromate will be found in the finished product. (R. 47, 49-50, 92-93; Ex. 6, 7)

7. There is convincing evidence that the small amounts of potassium bromide that would be consumed in baked products made from flour containing potassium bromate in amounts not over 50 parts per million are not injurious. There is less evidence as to the possible effects from the small amounts of potassium bromate not converted to potassium bromide, but it indicates that there are no deleterious effects from the consumption of foods prepared from bromated flour. (R. 146-155, 159, 185, 192-193, 197-198)

8. Where reference is made in the above findings to the addition of potassium bromate to flour the same facts apply where it is added to enriched flour. There is no measurable destruction of the enriching ingredients in enriched flour resulting from the addition of the potassium bromate. (R. 20-21, 79, 93-94, 117-118, 163)

Conclusions. It is in the interest of consumers that millers be able to bromate all flour and enriched flour whose baking properties are thereby improved.

It is unnecessary, for consumer protection, to set any limit based on protein content of flour to which potassium bromate may be added for the purpose of making bromated flour or enriched bromated flour.

On the basis of the foregoing findings of fact and conclusions, it is further concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definitions and standards of identity for bromated flour and en-

riched bromated flour (21 CFR., Cum. Supp. 15.20 and 15.30) so that after making the recommended changes they read as follows:

§ 15.20 *Bromated flour; identity; label statement of optional ingredients.* Bromated flour conforms to the definition and standard of identity, and is subject to the requirement for label statement of optional ingredients, prescribed for flour by § 15.00, except that potassium bromate is added in a quantity not exceeding 50 parts to each million parts of the finished bromated flour, and is added only to flours whose baking qualities are improved by such addition.

§ 15.30 *Enriched bromated flour; identity; label statement of optional ingredients.* Enriched bromated flour conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for enriched flour by § 15.10, except that potassium bromate is added in a quantity not exceeding 50 parts to each million parts of the finished enriched bromated flour, and is added only to enriched flours whose baking qualities are improved by such addition.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk, Federal Security Agency, Room 3346, Federal Security Building, Fourth Street and Independence Avenue, SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in this tentative order and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which such exceptions are based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs shall be submitted in quintuplicate.

Dated: June 3, 1948.

[SEAL]

OSCAR R. EWING,
Administrator

[F. R. Doc. 48-5171; Filed, June 9, 1948; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 33528]

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 28, 1948.

Pursuant to the provisions of the Carey Act of August 18, 1894 (28 Stat. 422; 43 U. S. C., sec. 641) the State of Idaho

¹The citations following each finding of fact refer to the pages of the transcript of the testimony and the exhibits received in evidence at the hearing.

found that the hereinafter-described lands are unsuitable for irrigation and reclamation, and accordingly reconveyed such lands to the United States.

At 10:00 a. m. on July 30, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from July 30, 1948, to October 29, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C.

682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 10, 1948, to July 29, 1948, inclusive, such veterans

and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 30, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 30, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 11, 1948, to October 29, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 30, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Blackfoot, Idaho.

The lands affected by this order are described as follows:

BOISE MERIDIAN

- T. 10 S., R. 37 E.,
Sec. 32, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 11 S., R. 36 E.,
Sec. 1, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
11, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
12, W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
13, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
14, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 11 S., R. 37 E.,
Sec. 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
20, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
32, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, aggregating 1,200 acres.

The lands are generally level to gently rolling in character.

MARION CLAWSON,
Director

[F. R. Doc. 48-5142; Filed June 9 1948;
8:48 a. m.]

[Misc. 2117652]

CALIFORNIA

CLASSIFICATION ORDER

MAY 18, 1948.

1. Pursuant to the authority delegated to me by the Secretary of the Interior by Order No. 2325 dated May 24, 1947 (43 CFR 4-275 (b) (3) 12 F. R. 3566) I hereby classify under the small tract act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a) as hereinafter indicated, the following described public lands in the Los Angeles, California, land district, embracing 160 acres:

SMALL TRACT CLASSIFICATION No. 149

California No. 69

FOR LEASING AND SALE

For Home, Cabin, Health, Convalescent, and Recreational Sites

T 1 N., R. 5 E., S. B. M., California, sec. 34, NE $\frac{1}{4}$.

2. This land is located in San Bernardino County, California, about 18 miles west of Twentynine Palms. It is accessible from the paved highway to Twentynine Palms by one-half mile of dirt road.

3. Water supplies must be developed from underground sources. A well on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 34 is approximately 150 feet deep. Although depths to water vary greatly in short distances, the development of ground water in supplies adequate for domestic purposes should be entirely feasible, especially if undertaken as group projects. Settlers in this area even haul water for domestic purposes. Electric power has been made available at Twentynine Palms. Telephone service has also been provided for the community.

4. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR part 257, Circ. 1647, May 27, 1947, and Cir. 1665, November 19, 1947) a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 2:55 p. m. on February 27, 1948, and (b) are for the type of site for which the land subject thereunder has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

5. As to the land not covered by the applications referred to in paragraph 4, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited above, until 10:00 a. m. on July 20, 1948. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-day period for other preference right filings.*

For a period of 90 days from 10:00 a. m. on July 20, 1948, to close of business on October 19, 1948, inclusive, to (1) application under the small tract act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September

27, 1944 (58 Stat. 747) as amended May 31, 1947 (61 Stat. 123, 43 U. S. C. sec. 279) and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at 2:55 p. m. on February 27, 1948, or thereafter, up to and including 10:00 a. m. on July 20, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at 10:00 a. m. on October 20, 1948, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous non-preference-right filings.* Applications under the small tract act by the general public filed at 2:55 p. m. on February 27, 1948, or thereafter, up to and including 10:00 a. m. on October 20, 1948, shall be treated as simultaneously filed.

6. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.36 (Circ. 1588). Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

7. All applications referred to in paragraphs 4 and 5 shall be filed in the district office at Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254) to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

8. Lessees under the small tract act of June 1, 1938 will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of 5 years at an annual rental of \$5.00, payable for the entire lease period in advance of the issuance of the lease. Leases will

contain an option to purchase clause at the appraised price of \$20.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

9. All of the lands will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longest dimension extending north and south. The tracts, whenever possible, must conform in description with the rectangular system of surveys as one compact unit; i. e., the E½ or the W½ of a quarter-quarter-quarter section.

10. Preference right leases referred to in paragraph 4 will be issued for the land described in the application, irrespective of the direction of the tract, provided the tract conforms or is made to conform to the area and dimensions specified above.

11. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, the Acting Manager is authorized to accept applications for the remaining 5-acre tract extending in the same direction so as to fill out the subdivision, notwithstanding the direction of the tract may be contrary to that specified in paragraph 10.

12. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Los Angeles 12, California.

MARION CLAWSON,
Director.

[F. R. Doc. 48-5143; Filed, June 9, 1948;
8:48 a. m.]

POST OFFICE DEPARTMENT

INTERNATIONAL MAILS

GIFT PARCELS TO GREECE

The Postal Administration of Greece has advised that gift parcels mailed until June 30, 1948, and addressed to individuals in that country, will be exempt from customs duty if their contents are limited to the following articles in amounts not exceeding those indicated:

Worn clothing: 17½ pounds.

Worn footwear: 4 pairs.

New clothing, manufactured or not (except furs, nylon hose and silk garments) 6½ pounds.

Wool fabric or wearing apparel made therefrom: 1 complete suit.

Leather, or new footwear made therefrom: 1 pair.

Bed coverings, sheets, napkins, etc.: 6½ pounds.

Foodstuffs: 6½ pounds of each kind.

If a parcel contains articles other than those mentioned above, the entire contents of the parcel will be subject to customs duties.

Gift parcels are subject to customs examination in Greece, and may be confiscated if it is found that the contents have been falsely declared.

JOSEPH J. LAWLER,
Acting Postmaster General.

[F. R. Doc. 48-5150; Filed, June 9, 1948;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1007]

CHICAGO DISTRICT PIPELINE CO.

ORDER FIXING DATE OF HEARING

JUNE 3, 1948.

Upon consideration of the application filed March 5, 1948, by Chicago District Pipeline Company (Applicant) an Illinois corporation with its principal place of business at Joliet, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas pipeline facilities subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission, and open to public inspection;

It appearing to the Commission that:

(1) Temporary authorization to construct and operate the requested facilities was granted by the Commission on May 14, 1948;

(2) This proceeding is a proper one for disposition under the provisions of Rule 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 26, 1948 (13 F. R. 1612-1613)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 23, 1948, at 9:30 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by Rules 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 4, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5136; Filed, June 9, 1948;
8:46 a. m.]

[Docket Nos. G-988, G-1011]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND DISMISSING APPLICATION FOR AUTHORITY TO ABANDON AND REMOVE PIPE LINES

JUNE 4, 1948.

Notice is hereby given that, on June 3, 1948, the Federal Power Commission issued its order entered June 2, 1948, in the above-designated matters, issuing certificate of public convenience and necessity for operation of certain lines in Lincoln Parish, Louisiana, in lieu of a line authorized in the order of October 10, 1947, in Docket No. G-880, and dismissing application for authority to abandon and remove certain pipe lines.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5137; Filed, June 9, 1948;
8:46 a. m.]

[Project No. 553]

CITY OF SEATTLE

NOTICE OF ORDER GRANTING PARTIAL EXEMPTION FROM PAYMENT OF ANNUAL CHARGES

JUNE 4, 1948.

Notice is hereby given that, on June 3, 1948, the Federal Power Commission issued its order entered June 1, 1948, granting partial exemption from payment of annual charges in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5138; Filed, June 9, 1948;
8:46 a. m.]

[Docket No. G-1057]

PENN-YORK NATURAL GAS CORP.

ORDER SUSPENDING RATE SCHEDULE

It appearing to the Commission that:

(a) Penn-York Natural Gas Corporation (hereinafter sometimes referred to as "Penn-York") filed on May 7, 1948, with the Commission, a proposed rate schedule available to Republic Light, Heat & Power Company, an affiliate and Penn-York's sole customer (hereinafter sometimes referred to as "Republic") for natural gas purchased and received by Penn-York from New York State Natural Gas Corporation (hereinafter sometimes referred to as "New York Natural") under letter agreement dated April 2, 1948, which schedule has been designated by the Commission as Penn-York's Supplement No. 1 to Rate Schedule FPO No. 11, and, unless suspended, will become effective on June 7, 1948.¹

¹ Supplement No. 1 to Rate Schedule FPO No. 11 was not filed with the Commission until May 7, 1948, and at the time of filing Penn-York requested a waiver of the 30-day notice prescribed by Section 4 of the Natural Gas Act and approval of the Commission to make the Supplement effective retroactively to April 15, 1948.

(b) The aforesaid Supplement sets forth rates which if applied would result in an increase of approximately \$12,000, during the period covered, over the rate established by the Commission's order dated February 16, 1946, in Docket No. G-600. The proposed Supplement provides, for the temporary additional deliveries, an increased commodity charge of 43¼¢ per Mcf, which is a 5½¢ per Mcf increase over the commodity charge for present deliveries. There is no provision for an additional transportation charge over the present charge of \$10,960 per month.

(c) The purported justification of the said proposed increase in the rates and charges for the temporary additional deliveries, is that the additional natural gas is to be purchased from New York Natural at a new point of delivery in the Town of Angelica, Allegany County, New York, which is in a higher rate zone than the point of present deliveries to Penn-York. Under the aforementioned April 2, 1948 agreement between Penn-York and New York Natural the natural gas is to be delivered only at the times and in such quantities as New York Natural considers it has natural gas available for such purpose. There is no new obligation placed on Penn-York by the proposed Supplement, as the present schedule provides for delivery of natural gas purchased from New York Natural under a contract dated January 13, 1944, as amended from time to time thereafter.

(d) Penn-York has been and is now a natural-gas company, subject to the jurisdiction of the Commission under the Natural Gas Act, engaged in the transportation of natural gas in interstate Commerce and in the sale of natural gas in interstate commerce for resale for ultimate public consumption, by means of its natural gas pipe lines and appurtenant facilities located in the States of Pennsylvania and New York.

(e) The rates, charges and classifications set forth in the aforesaid Supplement No. 1 may be unjust, unreasonable and unlawful and place an undue burden upon the ultimate consumers of natural gas.

The Commission finds that:

It is necessary and desirable in the public interest that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, and classifications set forth in the aforesaid Supplement No. 1, referred to in paragraph (a) above, and that said Supplement be suspended pending hearing and decision thereon.

The Commission orders that:

(A) A public hearing be held on a date and at a place to be hereafter fixed by the Commission, concerning the lawfulness of the rates, charges, and classification, subject to the jurisdiction of the Commission, as set forth in the aforesaid designated Supplement No. 1, referred to in paragraph (a) above, filed by Penn-York Natural Gas Corporation.

(B) Pending such hearing and decision thereon, Supplement No. 1, referred to in paragraph (a) above, filed by Penn-York Natural Gas Corporation, be and it hereby is suspended and use deferred

of such rates, charges, and classifications until November 6, 1948, or until such time thereafter as said Supplement shall be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State Commissions may participate in this proceeding as provided by Rules 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: June 4, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5139; Filed, June 9, 1948;
8:47 a. m.]

[Docket No. E-6147]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

JUNE 4, 1948.

Notice is hereby given that on June 3, 1948, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of California and Nevada with its principal business office at Riverside, California, seeking an order authorizing the issuance of 75,000 shares of ---% Convertible Preference Stock, par value of \$20 per share, and the sale of such stock through a group of underwriters. Proposed dividend rate is stated to be 5½% and the proposed underwriter's spread is \$1.40 per share, all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 22d day of June 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5140; Filed, June 9, 1948;
8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Special Directive 33-A]

WESTERN ALLEGHENY RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH
CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 33 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 5, 1948.

A copy of this special directive shall be served upon the Western Allegheny Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secre-

tary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 4th day of June A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-5162; Filed, June 9, 1948;
8:51 a. m.]

[S. O. 790, Special Directive No. 52-A]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO VACATE ORDER TO FURNISH
CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 52 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 4, 1948.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-5163; Filed, June 9, 1948;
8:51 a. m.]

[S. O. 790, Special Directive No. 53-A]

PENNSYLVANIA RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 53 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 4, 1948.

A copy of this special directive shall be served upon The Pennsylvania Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-5164; Filed, June 9, 1948;
8:51 a. m.]

[S. O. 790, Special Directive No. 54-A]

BALTIMORE AND OHIO RAILROAD CO.

**DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY**

Upon further consideration of the provisions of Service Order No. 790 (12 F R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 54 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 4, 1948.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 3rd day of June A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F R. Doc. 48-5165; Filed, June 9, 1948;
8:51 a. m.]

[S. O. 790, Special Directive No. 55-A]

NEW YORK CENTRAL RAILROAD CO.

**DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY**

Upon further consideration of the provisions of Service Order No. 790 (12 F R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 55 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 4, 1948.

A copy of this special directive shall be served upon The New York Central Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 3d day of June, A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F R. Doc. 48-5166; Filed, June 9, 1948;
8:51 a. m.]

[S. O. 790, Special Directive No. 58A]

WESTERN ALLEGHENY RAILROAD CO.

**DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY**

Upon further consideration of the provisions of Service Order No. 790 (12 F R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 58 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., June 5, 1948.

A copy of this special directive shall be served upon the Western Allegheny Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 4th day of June A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F R. Doc. 48-5167; Filed, June 9, 1948;
8:51 a. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File Nos. 812-192, 812-193, 812-194]

PROVIDENTIA, LTD., ET AL.

NOTICE OF APPLICATION

In the matter of Providentia, Ltd., The Nineteen Corporation, Instoria, Inc., File Nos. 812-192, 812-193, 812-194.

At a regular session of the Securities and Exchange Commission held at its office in Washington, D. C., on the 4th day of June A. D. 1948,

Notice is hereby given that Providentia, Ltd., The Nineteen Corporation and Instoria, Inc. ("applicants") 67 Wall Street, New York 5, New York have filed applications pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission modifying the order of exemption entered on October 15, 1946 (Investment Company Act of 1940, Release No. 954) by which the applicants were exempted from the provisions of the act with the provisos that so long as the exemption granted shall be in effect, each of the applicants will file with the Commission (1) an annual report setting forth such information as would be required by certain items of Form N-30 A-1 (2) a quarterly report setting forth such information as would be required by Form N-30B-1 prescribed by Rule N-30 B1-1 of the general rules and regulations under the act (3) information as to any purchases of a beneficial interest in any securities issued by applicants by any person resident in the United States of which applicants are advised or have knowledge and (4) information as to any acquisition of the securities of any American company which would result in presumptive control by the applicant under the act.

Each of the applicants now seeks a modification of such order with respect to the filing of quarterly reports and agrees that if and so long as the exemption herein requested shall be granted and shall be in effect, it will within 30 days after receipt from the Commission of a request therefor, file with the Commission a report setting forth as of the end of the quarterly period next preceding the date of such request, such in-

formation as would be required by the Commission's Form N-30B-1.

All interested persons are referred to said applications which are on file in the offices of this Commission for a more detailed statement of the matters of fact and law asserted.

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications.

It is ordered, That the proceedings on the three applications be and the same hereby are consolidated.

Notice is further given that an order granting the applications may be issued by the Commission at any time after June 18, 1948 unless prior thereto a hearing on the applications is ordered by the Commission as provided in Rule N-6 of the rules and regulations promulgated under the act. Any interested person may, not later than June 16, 1948, at 5:30 p. m., Eastern Daylight Saving Time, submit in writing to the Commission his views or any additional fact bearing upon the applications or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature and interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the applications which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 48-5157; Filed, June 9, 1948;
9:39 a. m.]

[File No. 7-1055]

CHICAGO, MILWAUKEE, ST. PAUL AND
PACIFIC RAILROAD CO.

**NOTICE OF APPLICATION FOR UNLISTED TRADING
PRIVILEGES, AND OF OPPORTUNITY FOR
HEARING**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of June A. D. 1948.

The San Francisco Stock Exchange pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Voting Trust Certificates for Preferred Series A Stock of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co., a security listed and registered on the New York Stock Exchange and the Chicago Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to June 28, 1948, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5158; Filed, June 9, 1948;
8:50 a. m.]

[File No. 7-1054]

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC
RAILROAD CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of June A. D. 1948.

The San Francisco Stock Exchange pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Voting Trust Certificates for Common Stock, no par value, of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co., a security listed and registered on the New York Stock Exchange and Chicago Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to June 28, 1948, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5159; Filed, June 9, 1948;
8:50 a. m.]

No. 113—5

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9367, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11307]

ISAMI ISEI ET AL.

In re: Real property, household furnishings, farm equipment and materials, motor vehicles, property insurance policy, and bank accounts owned individually and/or jointly by Isami Iseri, Shigeiko Iseri, Hanako Iseri and Jiso Iseri.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Isami Iseri, Shigeiko Iseri, Hanako Iseri and Jiso Iseri, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows: Real property situated in the County of Jefferson, State of Washington, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Isami Iseri and Shigeiko Iseri, the aforesaid nationals of a designated enemy country (Japan),

3. That the property described as follows:

a. All that personal property, consisting of household furnishings, farm equipment and materials, described in Exhibits B and C, respectively, attached hereto and by reference made a part hereof,

b. All right, title and interest of Isami Iseri, Shigeiko Iseri and Hanako Iseri, in and to Fire and Extended Insurance Policy No. 1940F-2863, issued by the General Insurance Co. of America, Seattle, Washington, which policy insures the real and personal property described in Exhibits A, B, and C, attached hereto and by reference made a part hereof,

c. That certain debt or obligation, owing to Isami Iseri, Shigeiko Iseri and Hanako Iseri, by the First American National Bank of Port Townsend, Washington, Port Townsend, Washington, arising out of a commercial account entitled "Iseri Farm Account" and any and all rights to demand, enforce and collect the same,

d. That certain debt or obligation, owing to Isami Iseri, Shigeiko Iseri and Hanako Iseri, by the First American National Bank of Port Townsend, Washington, Port Townsend, Washington, arising out of Savings Account No. 11230, entitled "Isami, Hanako or Shi-

geiko Iseri" and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Isami Iseri, Shigeiko Iseri and Hanako Iseri, the aforesaid nationals of a designated enemy country (Japan)-

4. That the property described as follows:

a. That certain debt or obligation, owing to Hanako Iseri and Shigeiko Iseri, by the First American National Bank of Port Townsend, Washington, Port Townsend, Washington, arising out of Savings Account No. 13152, entitled "Hanako or Shigeiko Iseri" and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation, owing to Hanako Iseri and Shigeiko Iseri, by the First American National Bank of Port Townsend, Washington, Port Townsend, Washington, arising out of Savings Account No. 13681, entitled "Hanako or Shigeiko Iseri" and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hanako Iseri and Shigeiko Iseri, the aforesaid nationals of a designated enemy country (Japan)

5. That the property described as follows:

a. One (1) 1937 Oldsmobile Sedan, Engine No. 408009-1, Washington State 1942 License No. Y-133 and one (1) 1929 Chevrolet Truck, Engine No. 835503-K48-3, Washington State 1942 License No. Y-13, which motor vehicles are located on the Lomsdalen Ranch, Dabob, Washington,

b. That certain debt or obligation, owing to Jiso Iseri, by the First American National Bank of Port Townsend, Washington, Port Townsend, Washington, arising out of Savings Account No. 9142, entitled "Jiso Iseri" and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Jiso Iseri, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof,

subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 3-a to 5-b hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

All that certain real property situate, lying and being in the County of Jefferson, State of Washington, described as follows:

The Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, of Section 17, Township 28 North, Range 1 West, of the Willamette Meridian, excepting therefrom the rights of way of County Roads now on said premises.

EXHIBIT B

Inventory of household furnishings owned by Isami Iseri, Shigeko Iseri and Hanako Iseri, stored at places designated Iseri Ranch, c/o E. L. Fahringer, Dabob, Washington:

- 1 davenport and chair
- 1 swing rocker
- 1 dining room set
- 1 heater (small)
- miscellaneous iron beds, springs and odd pieces

Lomsdalen Ranch, c/o Gunhild Lomsdalen, Dabob, Washington:

- 1 Aldrich piano
- 1 General Electric radio

EXHIBIT C

Inventory of farm equipment and materials owned by Isami Iseri, Shigeko Iseri and Hanako Iseri, stored at places designated Iseri Ranch, c/o E. L. Fahringer, Dabob, Washington:

- 1 horse disc
- 1 8 ft. hay rake
- 1 land roller

Lomsdalen Ranch, c/o Gunhild Lomsdalen, Dabob, Washington:

- 2 blocks and box rope
- 1 grinder
- 1 pipe dies with vise
- 1 2-unit milking machine with electric motor
- 1 milk tank
- 1 milk bucket and strainer
- 1 fence controller with insulators
- 2 garden sprayers
- 3 horse collars and strap
- 1 wire stretcher
- 1 meat saw
- 1 grinder and electric motor
- 1 outside electric globe, 1 scythe, 2 whetstones
- 1 hedge cutter
- cupboard snaps, claw and ballpeen hammer
- 6 mole traps
- No. 10 nails and 6 cow bells
- 20 irrigation pipe faucets and 2 faucets

- 1 box of unions, elbows, tees, plugs and short pipe
 - 2 knee pads and goggles, 3 screw jacks
 - 1 milk can with coal oil
 - 1 bucking and 1 felling saw
 - 1 drag saw with 2 blades
 - 1 carpenter square
 - 2 walking plows
 - 1 pick, 1 mattock, 3 axes
 - 1 plow share
 - 2 potato diggers
 - 2 garden hoes
 - 1 garden seeder
 - 1 peavy
 - 2 bales chicken wire
 - 4 bales barb wire
 - 10 Japanese kegs
 - 1 scythe and snath
 - 1 crowbar
 - 100 ft. each $\frac{3}{4}$ " and $\frac{1}{2}$ " steel cable
- [F. R. Doc. 48-5117; Filed, June 8, 1948; 8:50 a. m.]

[Vesting Order 11309]

SAIGACHI MIYAMOTO ET AL.

In re: Real property, a leasehold estate and a claim owned by the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Saihachi Miyamoto, deceased.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Saihachi Miyamoto, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan)

2. That the property described as follows:

a. Real property, situated at Lualualei, District of Waianae, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. A leasehold estate in real property, situated at Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit B, attached hereto and by reference made a part hereof, created under and by virtue of a lease executed May 20, 1941, by and between George M. Collins, John K. Clarke, Frank E. Midkiff and Edwin P. Murray, Trustees under the Will and of the Estate of Bernice P. Bishop, deceased, Lessors, and Saihachi Miyamoto, Lessee, and

c. That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Saihachi Miyamoto, deceased, by Kameyo Furushima, 1543 Colburn Street, Honolulu, Territory of Hawaii, arising out of rentals collected on the property described in subparagraph 2-b hereof,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

All of those certain parcels of land (portions of the lands described in and covered by Land Patent Grant Number 8531 to Manuel G. Correa) situate, lying and being at Lualualei, in the District of Waianae, City and County of Honolulu, Territory of Hawaii, being lots numbers thirteen (13) and fifteen (15), in block "D" of the tract of land known as the "Mall Lands" as shown on the Map thereof filed in the Office of the Registrar of Conveyances at Honolulu as Registered Map Number Three Hundred Twenty-Four (324).

Each of said lots containing an Area of 5,000 Square Feet, or thereabouts.

EXHIBIT B

All that certain piece or parcel of land situate at Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, containing an area of 7,500 square feet, comprising Lot 168-A Section "A" as delineated on Subdivision Map or Plan of Section "A", Land Court Application 750, approved by the Land Court of the Territory of Hawaii on August 6, 1928, and filed with the Assistant Registrar of said Land Court, and being a portion of the land described in Owners' Transfer Certificate of Title No. 8219 issued to the Trustees of the Bernice P. Bishop Estate, and shown on Bishop Estate Map 3010-26 on file in the office of the Lessors; together with the buildings thereon.

[F. R. Doc. 48-5118; Filed, June 8, 1948; 8:50 a. m.]

[Vesting Order CE 440]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN PENNSYLVANIA, ILLINOIS, NEVADA, MINNESOTA, AND NEW YORK COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Col-

umn 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with

in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or Territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
Hannah Machach.....	Czechoslovakia.....	Item 1 Estate of Dora Kerak, deceased. Orphans' Court, Philadelphia County, Pa. No. 793 of 1943.	\$4,623.83	Czechoslovak Consulate, Philadelphia 4, Pa.	\$23.00
Rozsa Fischer Gyurkovics, also known as Rozsa Fischer Gyurkovic, also known as Rozsa Fischer Gyurkovic, also known as Rosa Fischer (sister), and other Heirs at law, names unknown, of Armin Fischer, deceased.	Hungary.....	Item 2 Estate of Armin Fischer, deceased. Probate Court, Cook County, Ill. File No. 44 P 2935. Docket 429, p. 223.	1,131.45	Louis E. Nelson, treasurer of Cook County, County Bldg., Chicago, Ill.	104.00
Chun Shee Ng.....	China.....	Item 3 Estate of On Ng, deceased. District Court of the Fourth Judicial District, Elko County, Nev. No. 1377.	623.25	George Afzazi, Administrator, c/o Taylor H. Wines, Esquire, 433 Henderson Bank Bldg., Elko, Nev.	31.00
Won Ng.....	do.....	Item 4 Same.....	623.25	Same.....	31.00
Iver Asperheim.....	Norway.....	Item 5 Estate of Annie Asperheim, deceased. Probate Court, Waukegan County, Minn.	400.00	Royal Norwegian Consulate General, Minneapolis 2, Minn.	49.00
Elifthris Lefkaditis.....	Greece.....	Item 6 Estate of Elias Lefkaditis, deceased. Surrogate's Court, New York County, N. Y. Index No. A-394-1944.	81.75	Public Administrator, New York County, 31 Chambers St., New York, N. Y.	18.67
Katherine Lefkaditis.....	do.....	Item 7 Estate of Elias Lefkaditis, deceased. Surrogate's Court, New York County, N. Y. Index No. A-394-1944.	81.75	Public Administrator, New York County, 31 Chambers St., New York, N. Y.	\$18.67
Clara Lefkaditis.....	do.....	Item 8 Same.....	81.74	Same.....	18.65

[F. R. Doc. 48-5184; Filed, June 9, 1948; 8:55 a. m.]

[Vesting Order CE 441]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY, ILLINOIS, CALIFORNIA, MASSACHUSETTS, OHIO, AND WISCONSIN COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Exec-

utive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the

United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the

amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or

are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of

Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Vasile Pop.....	Rumania.....	<i>Item 1</i> Estate of John Pop, deceased. Orphans' Court, Burlington County, N. J.	\$39.00	Ane Margrede Honiluis.....	Denmark.....	<i>Item 10</i> Estate of Charles Elverts, also known as O. Elverts, deceased. Superior Court, Sonoma County, Calif., No. 14923.	\$39.00
Dora Stopper.....	do.....	<i>Item 2</i> Estate of Aaron Leibovitz deceased. Probate Court, Cook County, Ill. File No. 44 P 5185, Docket 433, p. 129.	58.00	Nielsine Elverts.....	do.....	<i>Item 11</i> Same.....	39.00
Israel Leibovitz.....	do.....	<i>Item 3</i> Same.....	58.00	Pal Simko.....	Hungary.....	<i>Item 12</i> Estate of Bela Messa, deceased. Probate court, Norfolk County, Mass. Docket No. 107984.	60.00
Hyman Leibovitz.....	do.....	<i>Item 4</i> Same.....	58.00	Janka Fulop.....	do.....	<i>Item 13</i> Same.....	60.00
Rose Leibovitz.....	do.....	<i>Item 5</i> Same.....	58.00	Angiolina Landorfi, also known as Angiolina Landolfo.....	Italy.....	<i>Item 14</i> Estate of Vincent Landorfi, deceased. Probate Court, Mahoning County, Ohio.	62.00
Anna Albrecht Szucs.....	Hungary.....	<i>Item 6</i> Estate of Joseph Albrecht, deceased. Probate Court, Cook County, Ill. File 45 P 7498, Docket 445, p. 405.	119.00	Giovanni Landorfi, also known as Giovanni Landolfo.....	do.....	<i>Item 15</i> Same.....	62.00
Victoria Gabor.....	do.....	<i>Item 7</i> Same.....	40.00	Society for the poor people of Kerpen.....	Germany.....	<i>Item 16</i> Trust under the Will of Christian Dick, deceased. County Court, Dane County, Wis.	947.00
Ilona Szutor.....	do.....	<i>Item 8</i> Same.....	40.00	Hospital and gymnasium at Kerpen.....	do.....	<i>Item 17</i> Same.....	189.00
Kristine Hattesen.....	Denmark.....	<i>Item 9</i> Estate of Charles Elverts, also known as O. Elverts, deceased. Superior Court, Sonoma County, Calif., No. 14923.	39.00				

[F. R. Doc. 48-5185; Filed, June 9, 1948; 8:55 a. m.]

[Vesting Order CE 442]/

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN DELAWARE, LOUISIANA, MAINE, MARYLAND, NEW HAMPSHIRE, PENNSYLVANIA, TEXAS, AND RHODE ISLAND COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said

persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now therefore, there is hereby Vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Algemeene Kunstzijde Unie (N. V.).	Netherlands.....	<i>Item 1</i> David Birnbaum v. Algemeene Kunstzijde Unie (N. V.) Superior Court, New Castle County, Del. Docket No. 224-1944.	\$2,076.31	Julia Marcinko.....	Czechoslovakia.....	<i>Item 9</i> Estate of John Upersky, deceased. Orphans' Court, Lawrence County, Pa. No. 1 June Term, 1945.	\$32.00
Madam Wedoe August Gyselinck; Madam Alfons De Bacher Van Haver; Alfons Van Haver; Heirs-at-law of Francus Van Haver, names unknown and Rev. Venantius Gyselinck	Belgium.....	<i>Item 2</i> Succession of Francis Van Haver, in the First Judicial District Court, Caddo Parish, La. No. 89,135.	42.37	Elizabeth Gaycl.....	do.....	<i>Item 10</i> Same	30.00
Lucretia M. Camera, formerly Lucretia May Carpenter.	China.....	<i>Item 3</i> Trust under the Will of Louisa D. T. Carpenter, deceased. Cumberland County, Probate Court, Maine. No. 723.	58.00	Francesco Donatich.....	Italy.....	<i>Item 11</i> Estate of Anton Donatich, deceased. Orphans' Court, Philadelphia County, Pa. No. 1163 of 1942.	47.00
Kosto Dimas.....	Italy.....	<i>Item 4</i> Estate of Ella Iovan Gello, deceased. Probate Court, Penobscot County, Maine. No. 18,685.	65.00	Polyxena Georgulis.....	Greece.....	<i>Item 12</i> Estate of Constantinos Georgulis, deceased. Orphans' Court, Philadelphia County, Pa.	100.00
Maria Beatrice Andreozzi Bernini Benzon.	Albania.....	<i>Item 5</i> Franklin D. Martin Single, v. Maria Beatrice Andreozzi Bernini Benzon and Ferdinando Benzon, her husband, of the City of Rome, Italy, in the Circuit Court, Baltimore City, Md.	53.00	Emma Emily Listmann.....	Germany.....	<i>Item 13</i> Estate of H. W. Emil Listmann, deceased. County Court, Tarrant County, Tex. No. 2457.	97.00
Beatrice T. Dournovo.....	Italy.....	<i>Item 6</i> Trust under the Will of Frank West Rollins, Probate Court, Merrimack County, N. H.	52.75	Baron Louis de Leray.....	Hungary.....	<i>Item 14</i> Estate of Baroness Blanche de Leray, deceased. Probate Court, Bristol County, E. I.	25.00
Emilie Antonelli Ricci.....	France.....	<i>Item 7</i> Estate of Angelo Ricci, also known as Angelo Congerio Ricci, deceased. Orphans' Court, Philadelphia County, Pa. No. 1249 of 1945.	22.00	Mrs. Elizabeth de Leray.....	do.....	<i>Item 15</i> Same	13.00
Filomena Ricci.....	do.....	<i>Item 8</i> Same	22.00	Angelina Palmieri Cecchi.....	Italy.....	<i>Item 16</i> Estate of Francesco Palmieri, deceased. Probate Court, Providence County, R. I. No. 41522.	23.00
				Filomena Cappello.....	do.....	<i>Item 17</i> Same	4.40
				Michellina Cappello.....	do.....	<i>Item 18</i> Same	4.40
				Carmelina Cappello.....	do.....	<i>Item 19</i> Same	4.40
				Anteretta Cappello.....	do.....	<i>Item 20</i> Same	4.40
				Attilio Cappello.....	do.....	<i>Item 21</i> Same	4.40

[F. R. Doc. 48-5186; Filed, June 9, 1948; 8:55 a. m.]

[Vesting Order CE 443]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

NOTICES

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>				<i>Item 23</i>	
Carlo Borelli.....	Italy.....	Estate of Angelo Borelli, also known as Angelo Giardini, deceased. Surrogate's Court, New York County, N. Y. No. 55733-1943.	\$14.56	Magnalena (Battaglia) Antolena.	Italy.....	Estate of Alfonso Battaglia, deceased. Surrogate's Court, Erie County, N. Y.	\$25.00
Prima Borelli.....	do.....	Same	14.56	Rose (Battaglia) Granata.	do.....	Same	25.00
Barbara Borelli.....	do.....	Same	14.56	Francesca Cavallone.	do.....	Estate of Frank Cavallone, deceased. Surrogate's Court, Nassau County, N. Y.	17.00
Elizabeth Borelli.....	do.....	Same	14.56	Michael Cavallone.	do.....	Same	17.00
Zeta Borelli.....	do.....	Same	14.55	Rosario Cavallone.	do.....	Same	17.00
		<i>Item 6</i>				<i>Item 28</i>	
P. de Gruyter & Zoon N. V. (a corporation).	Netherlands.....	Harry L. Cohen Bendiks v. P. de Gruyter & Zoon N. V. (a corporation) New York Supreme Court, New York County, N. Y.	134.00	Solomon Wagschal a/k/a Solomon Wagszal.	Belgium.....	Estate of Oslas Wagschal, a/k/a Schija (Schyn, Szja), Rubin Wagszal, deceased. Surrogate's Court, New York County, N. Y. No. P 2501/-1944.	10.75
		<i>Item 7</i>				<i>Item 29</i>	
John Juzek.....	Czechoslovakia.....	Estate of William Juzek, deceased. Surrogate's Court, New York County, N. Y. Index No. A1583-1942.	32.00	Samuel Aaron Wagschal	do.....	Same	10.75
		<i>Item 8</i>				<i>Item 30</i>	
Rivka Ruchla Dimant.	Poland.....	Estate of Pinches Dimant, also known as Peter Dimant, deceased. Surrogate's Court, Bronx County, N. Y. Index No. 631/P-1944.	24.25	Feiga Wagschal a/k/a Feiga Wagszal.	do.....	Same	10.75
		<i>Item 9</i>				<i>Item 31</i>	
Noyceh Dimant.....	do.....	Same	24.25	Ethel Wagschal a/k/a Ethel Wagszal.	do.....	Same	10.75
Louis Jacob Dimant.....	do.....	Same	24.25	Carissima Caranfa.	Italy.....	Estate of Aurelio Caranfa, deceased. Surrogate's Court, Albany County, N. Y.	13.75
Hannah Dimant.....	do.....	Same	24.25	Adolfo Caranfa.	do.....	Same	13.75
		<i>Item 12</i>				<i>Item 34</i>	
Maria Cappalletti.....	Italy.....	Estate of Constantino Cappalletti, deceased. Surrogate's Court, Tompkins County, N. Y.	9.84	Ettore Caranfa.	do.....	Estate of Aurelio Caranfa, deceased. Surrogate's Court, Albany County, N. Y.	13.75
		<i>Item 13</i>				<i>Item 35</i>	
Emma Riva.....	do.....	Same	9.84	Nunzia Caranfa.	do.....	Same	13.75
		<i>Item 14</i>				<i>Item 36</i>	
Clidute Iacomini.....	do.....	Same	9.83	Gretchen Lehmann.	Belgium.....	Estate of Jennie M. Breitenbach, deceased. Surrogate's Court, New York County, N. Y. File No. P2183-1940.	33.00
Clesero Iacomini.....	do.....	Same	9.83			<i>Item 37</i>	
Daniele Iacomini.....	do.....	Same	9.83	Carolina Talamini, now known as Caroline T. Jessen (Querini).	Italy.....	Estate of Angelo Talamini, deceased. Surrogate's Court, Queens County, N. Y. Index No. 3913/1943.	4.70
Giacinta Champagna.....	do.....	Same	9.83	The trustees, officers or directors of the Cemetery in the Town of Vodo Cadore, Province of Belluno, Italy.	do.....	Same	50.30
		<i>Item 18</i>				<i>Item 38</i>	
Amsterdamsche Bank.	Holland.....	Max Van Der Veen, Plaintiff against Amsterdamsche Bank, Defendant. New York Supreme Court, New York County, N. Y., File No. 5725/1941.	56.00	Giovannina Santagata.	do.....	Estate of Domenico Santagata, deceased. Surrogate's Court, Bronx County, N. Y. Index No. 18414-1943.	118.00
		<i>Item 19</i>				<i>Item 40</i>	
Rosamonda Adimari.....	Italy.....	Estate of Margarita Mantovani Chirano, deceased. Surrogate's Court, Bronx County, N. Y. Docket No. 940 P/1942.	6.25	Adeline Boitrel.	France.....	Estate of Anna Wood Brown, deceased. Surrogate's Court, New York County, N. Y. File No. P-721-43.	23.00
		<i>Item 20</i>					
Annina Graldi.....	do.....	Same	6.25				
		<i>Item 21</i>					
Fulvia Marinello.....	do.....	Same	6.25				
		<i>Item 22</i>					
Giuseppina Esposito.....	do.....	Same	6.25				

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Ida Lemo.....	Finland.....	Item 41 Estate of Edla Makinen, deceased. Surrogate's Court, New York Coun- ty, N. Y. Index No. 625-P-1941.	\$12.63	Amelle Simenla Chardin.....	France.....	Item 65 Estate of Jules L. Simon- in, deceased. Surro- gate's Court, Kings County, N. Y. Index 722/1944.	\$2.00
Herman Makinen.....	do.....	Item 42 Same.....	12.63	Marie Simenla Regard.....	do.....	Item 67 Same.....	25.00
Raija Marjatta Aalto.....	do.....	Item 43 Same.....	12.63	Delphine Simenla.....	do.....	Item 68 Same.....	10.00
Sauli Lemo.....	do.....	Item 44 Same.....	12.63	Madeline Simenla.....	do.....	Item 69 Estate of Jules L. Simon- in, deceased. Surro- gate's Court, Kings County, N. Y. Index 722/1944.	10.00
Ossi Lemo.....	do.....	Item 45 Same.....	12.62	Louis Regard.....	do.....	Item 70 Same.....	5.00
Osmo Lemo.....	do.....	Item 46 Same.....	12.62	Charlotte Virginia Re- gard.....	do.....	Item 71 Same.....	5.00
Alpo Herman Makinen.....	do.....	Item 47 Same.....	12.62	Louisa Zampard.....	Italy.....	Item 72 Estate of John Marius L. Garrett, deceased. Surro- gate's Court, Kings County, N. Y. Docket No. 839/1944.	32.00
Paul Edwin Makinen.....	do.....	Item 48 Same.....	12.62	Maria Froehlich.....	Austria.....	Item 73 Estate of John Froehlich, deceased. Surrogate's Court, New York County, N. Y. Docket P 2210/1945.	61.00
Dice Dalumi.....	Italy.....	Item 49 Estate of Amalia Dalumi Shaw, deceased. Surro- gate's Court, New York County, N. Y. Index No. P843-1940.	40.00	Melanie (Muska) Halli- beg Munnayarsul.....	Germany.....	Item 74 Estate of Mabel von Nagel, deceased. Surro- gate's Court, New York County, N. Y. Docket No. P 2050-1944.	23.00
Lina Cima.....	do.....	Item 50 Same.....	6.00	Alexandra von Deym.....	Italy.....	Item 75 Same.....	57.00
Maria Cima.....	do.....	Item 51 Same.....	6.00	Ludovica Jenes.....	do.....	Item 76 Same.....	23.00
Regina Cima.....	do.....	Item 52 Same.....	6.00	Angolina Ercole.....	do.....	Item 77 Estate of Camilla Cazzone, a/k/a Camilla Cazzone, deceased. Surrogate's Court, New York County, N. Y. File No. P-255/1944.	82.00
Francesca Ghislanzoni.....	do.....	Item 53 Same.....	6.00	Concetta Signa.....	do.....	Item 78 Estate of Pasquale Signa, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 8379/1945.	62.00
Lea Piatti.....	do.....	Item 54 Same.....	6.00	Filomena Corbaro Mical.....	do.....	Item 79 Estate of Natale Corbaro, deceased. Surrogate's Court, Westchester County, N. Y.	37.00
Pina Piatti.....	do.....	Item 55 Same.....	6.00	Cesidio Aureli.....	do.....	Item 80 Estate of Gianfilippo Aureli, a/k/a Giovanni Filippo Aureli, deceased. Surrogate's Court, Bronx County, N. Y. Docket No. 825/1944.	4.00
Giuseppe Galli.....	do.....	Item 56 Same.....	6.00	Achille Aureli.....	do.....	Item 81 Same.....	21.00
Hers of Ilo Rappi Kale- shy, deceased.....	Albania.....	Item 57 Estate of Mandi Rapi, de- ceased. Surrogate's Court, Chautauqua County, N. Y.	35.00	Luciano Aureli.....	do.....	Item 82 Same.....	21.00
Michael Puntigam.....	Austria.....	Item 58 Estate of Joseph Puntig- am, deceased. Surro- gate's Court, Westches- ter County, N. Y. No. 1650/43.	25.00	Maria Donata Aureli.....	do.....	Item 83 Same.....	21.00
Anton Puntigam.....	do.....	Item 59 Same.....	25.00				
August Puntigam.....	do.....	Item 60 Same.....	12.00				
William Puntigam.....	do.....	Item 61 Same.....	12.00				
Karl Puntigam.....	do.....	Item 62 Same.....	12.00				
Louisa Puntigam Schober.....	do.....	Item 63 Same.....	12.00				
Julia Puntigam Leies.....	do.....	Item 64 Same.....	12.00				
Mano Arturo Sansoni and his heirs.....	Italy.....	Item 65 Estate of Guido Sansoni, deceased. Surrogate's Court, New York County, N. Y. Index No. P-35-1943.	73.00				

EXHIBIT A—Continued

Column 1 Name.	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Antonino Giovenco.....	Italy.....	Item 84 Estate of Luciano G. Giovenco, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 8674/1944.	\$7.50	Kate S. Shaw.....	Philippine Islands.....	Item 104 Estate of Anna B. Coulter, deceased. Surrogate's Court, Erie County, N. Y.	\$49.00
Lucia Giovenco.....	do.....	Item 85 Same	7.50	"John" Schaier.....	France.....	Item 105 Rosa Bakal, plaintiff v. "John" Schaier, defendant. Supreme Court, New York County, N. Y. Index No. 30325/1943.	59.00
Francesco Giovenco.....	do.....	Item 86 Same	7.50			Item 106 Estate of John Timoshuk, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 7642/1943.	35.00
Antonino Giovenco.....	do.....	Item 87 Same	7.50			Item 107 Estate of August Dobrajc, deceased. Surrogate's Court, New York County, N. Y. Index No. A-1366-1943.	70.00
Antonina Giovenco.....	do.....	Item 88 Same	7.50	Efzina Timoshuk.....	Russia.....	Item 108 Estate of Eugene Drolsum, deceased. Surrogate's Court, New York County, N. Y. Index No. P-2420-1942.	48.00
Anna Giovenco.....	do.....	Item 89 Estate of Luciano G. Giovenco, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 674/1944.	7.50	August Dobrajc.....	Yugoslavia.....	Item 109 Estate of Giuseppe Tallarico, deceased. Surrogate's Court, Kings County, N. Y. Index No. 3338-1943.	14.00
Karl Leeb or his children	Austria.....	Item 90 Estate of John Leeb, deceased. Surrogate's Court, New York County, N. Y. Index No. P-1830/1944.	63.00	Marianne Drolsum.....	Norway.....	Item 110 Same	14.00
Rafalla (Lefella) DeStefano or Serafina DeStefano.	Italy.....	Item 91 Estate of Nicholas DeStefano, deceased. Surrogate's Court, Chemung County, N. Y.	73.00	Maria Tallarico.....	Italy.....	Item 111 Estate of Christina Schmitt Kirchner, deceased. Surrogate's Court, Queens County, N. Y. Docket No. 1031/1942.	14.00
Selly Winkler.....	Germany.....	Item 92 Estate of Kathe Minden, deceased. Surrogate's Court, Kings County, N. Y. File No. 3957/1946.	37.00	John Tallarico.....	do.....	Item 112 Same	14.00
Della Alpi.....	Italy.....	Item 93 Estate of Angelo Alpi, deceased. Surrogate's Court, Queens County, N. Y. Index No. 5163/1944.	21.00	Joseph Montel.....	Austria.....	Item 113 Estate of Stephen Cerutti, deceased. Surrogate's Court, Queens County, N. Y. Docket No. 3403/1945.	16.67
Zefferino Alpi.....	do.....	Item 94 Same	10.00	Mizzie Schiele.....	do.....	Item 114 Estate of Stephen Cerutti, deceased. Surrogate's Court, Queens County, N. Y. Docket No. 3403/1945.	16.67
Irma Alpi.....	do.....	Item 95 Same	10.00	Michael Cerutti.....	Italy.....	Item 115 Same	15.60
Ladislav Lokvenz.....	Czechoslovakia.....	Item 96 Estate of Adolph C. Lockvenz, deceased. Surrogate's Court, Queens County, N. Y. Index No. 2101/1943.	4.00	Paul Cerutti.....	do.....	Item 116 Estate of Mathilda Jansson, a/k/a Mathilda Jansson and Mathilda Helena Johnson, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 8740/1944.	14.67
Adolf Lokvenz.....	do.....	Item 97 Estate of Adolph C. Lockvenz, deceased. Surrogate's Court, Queens County, N. Y. Index No. 2101/1943.	4.00	Josephine Cerutti.....	do.....	Item 117 Same	14.67
Jaraslava Loevenz.....	do.....	Item 98 Same	4.00			Item 118 Same	14.60
Justina Krol.....	do.....	Item 99 Same	4.00	Gustaf Gustafson.....	Finland.....		
Josef Srutek.....	do.....	Item 100 Same	4.00				
Aldrich Burdych.....	do.....	Item 101 Same	4.00				
Ludmila Burdych Snizek.	do.....	Item 102 Same	4.00				
Assunta Scarfato, a/k/a Assunta Scarfato Ruocco.	Italy.....	Item 103 Anna Schnier and Helen Forman v. Thomas Scarfato, et al. Supreme Court, Kings County, N. Y. File No. 170/1943.	23.00	Linda Kalm.....	do.....		
				Eva Zetterstrom.....	do.....		

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 119</i>				<i>Item 133</i>	
Angelo Passera.....	Italy.....	Estate of Duvi Passera, deceased. Surrogate's Court, Schenectady County, N. Y.	\$10.34	Ernest Gaugry.....	France.....	Estate of Camille Gaugry, deceased. Surrogate's Court, New York County, N. Y. Index No. A-2153-43.	\$9.75
Sofia Ossola.....	do.....	<i>Item 120</i>	10.33	Jules a/k/a Marcel Gaugry.....	do.....	<i>Item 130</i>	9.75
Elsa Dal Cin.....	do.....	<i>Item 121</i>	10.33	Rose Blanch Magnoux.....	do.....	<i>Item 140</i>	9.75
		<i>Item 122</i>				<i>Item 141</i>	
Adele Targo.....	do.....	Estate of Giacomo Balzarini, deceased. Surrogate's Court, New York County, N. Y. Index No. A-1429/1944.	12.91	Alice Ikert.....	do.....	<i>Item 142</i>	9.75
Theodore Balzarini.....	do.....	<i>Item 123</i>	0 2.67	Laure Bunker.....	do.....	Estate of Juliette Cagliostro, deceased. Surrogate's Court, New York County, N. Y. Docket No. P-2633-1943.	14.80
		<i>Item 124</i>				<i>Item 143</i>	
Fortunato Balzarini.....	do.....	Estate of Giacomo Balzarini, deceased. Surrogate's Court, New York County, N. Y. Index No. A-1429/1944.	2.67	Marcelle Corbat.....	do.....	<i>Item 144</i>	14.80
		<i>Item 125</i>		Berthe Denis.....	do.....	<i>Item 145</i>	14.80
Grazin Balzarini.....	do.....	<i>Item 126</i>	2.67	Marguerite Cornu.....	do.....	<i>Item 146</i>	14.80
Emilio Balzarini.....	do.....	<i>Item 127</i>	2.67	Neemie le Guilcher.....	France.....	<i>Item 147</i>	
Rosetta Balzarini.....	do.....	<i>Item 128</i>	2.63			Estate of Juliette Carlis- tro, deceased. Surrogate's Court, New York County, N. Y. Docket No. P-2633-1943.	14.80
Lena Balzarini.....	do.....	<i>Item 129</i>	2.63			<i>Item 147</i>	
		<i>Item 130</i>		Angelo Salvatore.....	Italy.....	Estate of Pietro Salvatore, a/k/a Pietro Salvatore, deceased. Surrogate's Court, Bronx County, N. Y. Index No. 107-A-1943.	19.05
Bassano Ventura.....	do.....	Estate of Sabatina Cocco, deceased. Surrogate's Court, Onondaga County, N. Y.	40.00			<i>Item 148</i>	
Rosaria Bruno.....	do.....	<i>Item 131</i>	70.00	Santa Salvatore.....	do.....	<i>Item 149</i>	19.05
		Estate of Gabriele Bruno, a/k/a Gabriel Bruno, deceased. Surrogate's Court, Bronx County, N. Y. Index No. 1076-A-1944.		Yee Shoo.....	China.....	Estate of Wong Gung Yon, a/k/a Wong Gun Yon, deceased. Surrogate's Court, New York County, N. Y. File No. A-153-1944.	67.00
Mary Robertson Albrecht, a/k/a May L. Albrecht.....	Germany.....	<i>Item 132</i>	123.09			<i>Item 150</i>	
		Estate of Lella Lofson Jones, deceased. Surrogate's Court, New York County, N. Y. File No. P-2050-1933.		Wong Jack Poy.....	do.....	<i>Item 151</i>	5.00
		<i>Item 133</i>		Wong Jack Hoo.....	do.....	<i>Item 152</i>	5.00
Luigi Rossetti.....	Italy.....	Estate of Mary R. Pagliuchi, deceased. Surrogate's Court, Kings County, N. Y. Docket No. 1634/1943.	23.09	Wong Jack Cheek.....	do.....	<i>Item 153</i>	5.00
		<i>Item 134</i>		Wong Jack Song.....	do.....	<i>Item 154</i>	5.00
Bartolomeo Cavassi.....	do.....	<i>Item 135</i>	12.00	Wong Jack Fou.....	do.....	<i>Item 155</i>	5.00
		<i>Item 136</i>				<i>Item 156</i>	
Grace Menonna Coccia.....	do.....	Estate of Domenico Menonna, deceased. Surrogate's Court, St. Lawrence County, N. Y.	18.25	Adeline P. D'Empren- menill.....	France.....	Trust under the Will of Henry T. Oxnard, deceased. Supreme Court, New York County, N. Y. No. 9192-1944.	37.00
Michael Menonna.....	do.....	<i>Item 137</i>	18.25	Nadine A. Oxnard.....	do.....	<i>Item 157</i>	37.00
Anna Marie Menonna.....	do.....	<i>Item 138</i>	18.25			<i>Item 157</i>	
"Jane Doe," "Alicia Doe" and "Mary Doe," names being fictitious, children of a deceased sister, Julia.....	do.....	<i>Item 139</i>	18.25	Edna Howells Thomas.....	do.....	Trust under the Will of Sarah L. Howells, deceased. Supreme Court, New York County, N. Y. File No. 27913-1944.	51.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 158</i>				<i>Item 177</i>	
Alfredina Stamile Sarro, Pasqualina Sarro, Vito- torio Sarro and Arnal- do Sarro.	Italy-----	Estate of Peter Sarro, a/k/a Pietro Sarro, deceased. Surrogate's Court, Nas- sau County, N. Y.	\$50.00	Jessie MacBride, a/k/a Jessie Amici Grissi.	Italy-----	Estate of Elizabeth T. Gardiner, deceased. Surrogate's Court, Westchester County, N. Y.	*\$183.00
		<i>Item 159</i>				<i>Item 178</i>	
Mary Isenberg Ebstein.	China-----	Estate of Max von der Porten, deceased. Sur- rogate's Court, New York County, N. Y. Docket No. 2017-1943.	28.50	Samet-U-Seiden-Web- erei-A-G, vermalis Ru- dolph Reichert & Sohne.	Czechoslovakia-----	Adalbert Greiner and John J. McCloskey, Sheriff of the City of New York, Plaintiffs, v. Dernier, Inc., De- fendant, Adalbert Grei- ner Plaintiff, v. SAMET-U-WEBER- EI-A-G, vermalis Ru- dolph Reichert & Sohne, Defendant, Supreme Court, New York County, N. Y. Index No. 12327/1943.	252.00
		<i>Item 160</i>				<i>Item 179</i>	
Helma Isenberg Wolf.	do-----	Same	28.50			Estate of Phillip Leone, deceased. Surrogate's Court, New York Coun- ty, New York. Docket No. P-2032/1945.	43.50
		<i>Item 161</i>				<i>Item 180</i>	
Angelo Varricchio.	Italy-----	Estate of Giovanni Varric- chio, a/k/a John Varric- chio, deceased. Surro- gate's Court, Washing- ton County, N. Y.	23.00			Same	43.50
		<i>Item 162</i>				<i>Item 181</i>	
Ernesto Varricchio.	do-----	Same	23.00	Gaspare Leone.	Italy-----	Estate of Hugo Stearns, deceased. Surrogate's Court, Nassau County, N. Y. Docket No. 38204/1942.	23.00
		<i>Item 163</i>				<i>Item 182</i>	
Antonio Varricchio.	do-----	Same	23.00			Same	23.00
		<i>Item 164</i>				<i>Item 183</i>	
Sophia Tires.	Greece-----	Estate of Zenos Hatzenas, deceased. Surrogate's Court, Washington County, N. Y.	8.00	Carmelo Leone Cascio.	do-----	Same	71.00
		<i>Item 165</i>				<i>Item 184</i>	
Mary Cotinieres.	do-----	Same	8.00	Richard Weser, and his heirs-at-law, next of kin and distributees, names unknown.	Hungary-----	Estate of Julia Friedhaber, deceased. Surrogate's Court, New York Coun- ty, N. Y. Docket No. P-1034/1944.	7.25
		<i>Item 166</i>				<i>Item 185</i>	
Anna Siquelires.	do-----	Same	8.00			Same	7.25
		<i>Item 167</i>				<i>Item 186</i>	
Eva Jurells.	do-----	Estate of Zenos Hatzenas, deceased. Surrogate's Court, Washington County, N. Y.	8.00	Irene Weser.	do-----	Same	7.25
		<i>Item 168</i>		Emilie Orf.	Rumania-----	Same	97.00
		<i>Item 169</i>				<i>Item 187</i>	
Pancrazio Danza.	Italy-----	Estate of Theresa Danza, deceased. Surrogate's Court, Richmond Coun- ty, N. Y.	50.67	Bella Spett Welsfeld.	Poland-----	Estate of Esther Gargenti Vitale, deceased. Sur- rogate's Court, New York County, N. Y. Index No. 1235/1942.	1,085.00
		<i>Item 170</i>				<i>Item 188</i>	
Pasquale Lacertosa, Do- menico Lacertosa and Teresa Lacertosa.	do-----	Same	25.33	Emanuel Friedhaber.	do-----	Same	10.05
		<i>Item 171</i>		Rachel Friedhaber Wolf.	do-----	Same	11.35
Ellen Biddle von Stack- elberg.	Germany-----	Estate of Elizabeth E. Biddle, deceased. Sur- rogate's Court, New York County, N. Y. Docket No. P-23-1944.	63.00	Sarah Friedhaber Celler.	do-----	Same	270.00
		<i>Item 172</i>				<i>Item 189</i>	
Shaine Klacko Chap.	Lithuania-----	In the matter of the Estate of Michael Salit, de- ceased. Surrogate's Court, New York Coun- ty, N. Y. File No. P-111-1941.	9.51	Giovanna Gargenti.	Italy-----	Estate of John Bellardino, deceased. Surrogate's Court, Seneca County, N. Y.	
		<i>Item 173</i>				<i>Item 190</i>	
Chave Klack	do-----	Same	9.50	Amsterdamsche Liqul- datiekas, N. V.	Netherlands-----	David Birnbaum v. Irving Trust Company and Amsterdamsche Liqul- datiekas N. V. Supreme Court, New York County, N. Y.	
		<i>Item 174</i>				<i>Item 191</i>	
Rachele Catalano.	Italy-----	Estate of Antonio Cata- lano, deceased. Surro- gate's Court, Queens County, N. Y. Docket No. 2144-1939.	23.00	Vincenza S. Bellardino.	Italy-----	Same	
		<i>Item 175</i>				<i>Item 192</i>	
Rocco Catalano.	do-----	Same	23.00	John Bellardino, Jr.	do-----	Same	
		<i>Item 176</i>				<i>Item 193</i>	
Erafino Vitelli Cata- lano.	do-----	Same	22.00			Charles Steindecker, plain- tiff, against Banque de L'Union Parisienne, S. A. Supreme Court, New York County, N. Y.	
		<i>Item 178</i>					
George L. Lorillard.	France-----	Trust u/w of Peter B. Lorillard, deceased. Surrogate's Court, New York County, N. Y.	20.00	Banque de L'Union Parisienne, S. A.	France-----		

Exhibit A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Rene Bergerat a/k/a René Bergerat, Francis Monnoyeur & Cie, Hy. Bergerat Monno- yeur & Cie.	France	Item 193 Joseph J. Sabatier, Plain- tiff, against René Ber- gerat, a/k/a René Ber- gerat, and Francis Mon- noyeur, a/k/a Francis Monnoyuretal. Defend- ants. Supreme Court, New York County, N. Y. Index No. 11615/ 43.	\$104.09	Edith Carpenter Macy.	Italy	Item 203 Trusts under the Will of Valentine Everit Macy, deceased. Surrogate's Court, Westchester County, N. Y.	\$3,493.33
Credit Industriel, D'Al- sace Et Lorraine.	do	Item 194 Fred Metzger v. Credit Industriel D'Alsace Et De Lorraine. Supreme Court, New York County, N. Y.	161.09	Florentino Jozenska	Poland	Item 204 Estate of Joseph Garlow- ski, deceased. Surro- gate's Court, Nassau County, N. Y. Docket No. 23773.	23.09
Sammt U. Seiden, Web- erl Boehmsche Es compte Bank.	Czechoslovakia	Item 195 Greiner & Sheriff, City of New York, v. Derritt, Inc. Supreme Court, New York County, N. Y. Index No. 12327/ 1943.	165.09	Valeria Jozenska	do	Item 205 Same	33.09
Christopher Aaro	Norway	Item 196 Estate of Didrik C. Troad- sen, deceased. Surro- gate's Court, Washing- ton County, N. Y.	4.10	Laura Akslen	Norway	Item 206 Estate of Severine Lam- enze, Olvestad, de- ceased. Surrogate's Court, New York County, N. Y. No. P-1933-43.	22.80
Edwin Aaro	do	Item 197 Same	4.17	Lina Grytebust	do	Item 207 Same	22.80
Hers of Tryggve Aaro, deceased.	do	Item 198 Same	4.17	Marius Ulfrated	do	Item 208 Same	22.80
Margarethe Minde	do	Item 199 Same	12.09	Karen Grytten	do	Item 209 Same	22.80
Frances Bienvenue Con- stantia.	Belgium	Item 200 Estate of Marie A. Mack- intosh, deceased. Sur- rogate's Court, New York County, N. Y.	54.09	Bla Læsteth	do	Item 210 Same	22.80
Alois Navratil	Austria	Item 201 Estate of Antonio Navra- til, deceased. Surro- gate's Court, New York County, N. Y. No. P-203-1943.	23.09	France-American Com- mercial Corporation, a/k/a Franco-Ameri- can Commercial Corporation, France, Ltd., "Jean" Perte, "Pierre" Perte, (First Names fictitious and unknown), Maurice Lacour and Andre Morel, Composing the partnership of Andre Morel et Cie.	France	Item 211 Rene Silz as assignee of American Commercial Corporation Plaintiff, v. Franco-American Commercial Corpora- tion, et al. Defendants. United States Supreme Court, Southern Dis- trict, N. Y. Docket No. Civ. 24-331.	477.75
Anton Navratil	do	Item 202 Same	15.09	Onnik Beshnakhian	do	Item 212 Estate of Sarkis Beshna- kian, deceased. Sur- rogate's Court, Nassau County, N. Y.	559.09
				Hrant Beshnakhian	do	Item 213 Same	559.09
				Nevant Hampartzow- mian.	Bulgaria	Item 214 Same	559.09

[F. R. Doc. 48-5187; Filed, June 9, 1948; 8:55 a. m.]

[Vesting Order CE 444]

COSTS AND EXPENSES INCURRED IN CERTAIN
ACTIONS OR PROCEEDINGS IN CERTAIN NEW
JERSEY COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested

in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

NOTICES

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Carol A. Mather	Italy	<i>Item 1</i> Fidelity Union Trust Co. v. Rufus G. Mather, individually and as trustee under the will of Caroline G. Mather, deceased. Court of Chancery, New Jersey.	\$101.00	Carolina Tarantola	Italy	<i>Item 22</i> Estate of Ralph Tarantola, Sr., deceased. Surro- gate's Court, Hudson County, N. J.	\$50.00
Jayta Humphreys Schlemmer	do	<i>Item 2</i> Estate of Fannie Gaffney, deceased. Orphans' Court, Union County, N. J.	109.00	Lucia Poltronetti	do	<i>Item 23</i> Estate of Louis Di Lollo, deceased. Orphans' Court, Hudson County, N. J.	123.00
Dario Cœlto	do	<i>Item 3</i> Estate of Esterina Erbet- ta, deceased. Orphans' Court, Union County, N. J.	24.60	Theresa Bogmaar (nee Pak) also known as Theresa Bogmaar.	Hungary	<i>Item 24</i> Estate of Kristina Praxl, deceased. Orphans' Court, Essex County, N. J.	53.00
Armando Cocito	do	<i>Item 4</i> Same.	24.60	Pasqua Spinelli	Italy	<i>Item 25</i> Estate of Loreto De As- centis, deceased. Sur- rogate's Court, Camden County, N. J.	38.00
Carlo Cocito	do	<i>Item 5</i> Same.	24.60	Teresa DeCesari	do	<i>Item 26</i> Same.	38.00
Esterina Vanole	do	<i>Item 6</i> Same.	24.60	Nunziata Corradetta	do	<i>Item 27</i> Same.	38.00
Luigina Cecito	do	<i>Item 7</i> Same.	24.60	Immacolata Nigro (Di- vona).	do	<i>Item 28</i> Estate of Pietro Nigro (or Negro), deceased. Sur- rogate's Court, Essex County, N. J.	10.25
Pietro Gila	do	<i>Item 8</i> Estate of Andrew Gila, deceased. Surrogate's Court, Passaic County, N. J.	39.00	Concetta Nigro Rolla	do	<i>Item 29</i> Same.	10.25
Vittorio Battistuta	do	<i>Item 9</i> Estate of Millie Zoldan Widmar, deceased. Or- phans' Court, Passaic County, N. J.	20.00	Rosa Nigro	do	<i>Item 30</i> Same.	10.25
Adalgisa Zoldan Fran- nelich.	do	<i>Item 10</i> Same.	20.00	Natalina D'Acunto	do	<i>Item 31</i> Same.	10.25
Arrigo Zoldan	do	<i>Item 11</i> Estate of Millie Zoldan Widmar, deceased. Or- phans' Court, Passaic County, N. J.	20.00	Marie Marino	do	<i>Item 32</i> Estate of Antonio S. Lavina, deceased. Sur- rogate's Court, Hudson County, N. J.	0.75
Attilio Zoldan	do	<i>Item 12</i> Same.	20.00	Louise Scherino, also known as Louise Schiano.	do	<i>Item 33</i> Same.	0.75
Aurelia Zoldan Tur- cetto.	do	<i>Item 13</i> Same.	20.00	Frank Lavina	do	<i>Item 34</i> Same.	0.75
Umberto Ciarchi	do	<i>Item 14</i> Estate of Rev. Umberto Donati, deceased. Sur- rogate's Court, Hudson County, N. J.	20.00	Lucy S. Lavina	do	<i>Item 35</i> Same.	0.75
Aurora Minocchia	do	<i>Item 15</i> Same.	20.00	Domenico Martino or Caterina Martino.	do	<i>Item 36</i> Edgar G. Wandless, and others, as Trustees of Fidelity Liquidation Trust, and others, v. Elizabeth L. Baum, and others, Chancery Court, N. J. No. 149/485.	104.00
Narcisa Rossi	do	<i>Item 16</i> Same.	20.00	Dr. Luigi Di Persia	do	<i>Item 37</i> Estate of Right Reverend Monsignor Felix Di Persia, deceased. Sur- rogate's Court, Hudson County, N. J.	102.00
Erasmus Scannella	do	<i>Item 17</i> Estate of Pasquale Scan- nella, deceased. Surro- gate's Court, Passaic County, N. J.	23.00	Carmela Perrotta	do	<i>Item 38</i> Estate of Maria Grazia Fanenl, also known as Maria Perrotta, de- ceased. Orphans' Court, Hudson County, N. J.	40.00
Cristina Passaretto	do	<i>Item 18</i> Same.	28.00	Teresa Sardo Protopapa	do	<i>Item 39</i> Estate of Cologero Sardo, deceased. Orphans' Court, Hudson County, N. J.	90.00
Maria Napoli (widow)	do	<i>Item 19</i> Estate of Joseph Napoli, deceased. Surrogate's Court, Bergen County, N. J.	17.66				
Maria Napoli (daughter)	do	<i>Item 20</i> Same.	17.67				
Pasquale Napoli (son)	do	<i>Item 21</i> Same.	17.67				

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Maria Barone	Italy	Item 49 Estate of Antonio Barone, deceased. Surrogate's Court, Hudson County, N. J.	\$21.83	Jacob (Yankel) Magli- man.	Rumania	Item 67 Estate of Leon Magidman, deceased. Orphans' Court, Monmouth County, N. J.	\$3.17
Francesco Barone	do	Item 41 Same	21.83	Goldie Rosenthal	Rumania	Item 68 Same	3.17
Giuseppe Barone	do	Item 42 Same	43.67	Kella (also known as Kala) Moiseevna Schwarzman.	do	Item 69 Same	3.17
Francesco Barone	do	Item 43 Same	21.83	Serealia Belba	do	Item 70 Same	3.17
Francesco Barone	do	Item 44 Same	5.46	Leika Glindis	do	Item 71 Same	3.15
Rosario Barone	do	Item 45 Same	5.46	Rachel Paragretsky (also known as Piro- grovetzky).	do	Item 72 Same	3.15
Antonio Barone	do	Item 46 Same	5.46	John Cuhanech	Czechoslovakia	Item 73 Estate of George Cuh- anech, deceased. Orphans' Court, Essex County, N. J.	21.00
Rosa Barone	do	Item 47 Same	5.46	Anna Cuhanech	do	Item 74 Same	20.00
Taube Lichtman	Latvia	Item 48 Estate of Jacob M. Sat- tenstein, deceased. Or- phans' Court, Passaic County, N. J.	17.60	Edward Koeb	Austria	Item 75 Estate of August Koeb, deceased. Orphans' Court, Hudson County, N. J.	26.55
Sara Braine Lichtman Saksene.	do	Item 49 Same	8.60	Frederick Koeb	do	Item 76 Same	26.55
David Lichtman	do	Item 50 Same	8.60	Theodora Koeb	do	Item 77 Same	26.55
Frains Satensteins	do	Item 51 Same	3.00	Ferdinand Koeb	do	Item 78 Same	26.55
David Satensteins	do	Item 52 Same	3.00	Frieda Koeb	do	Item 79 Same	26.55
Braine Satensteins	do	Item 53 Same	3.00	Rosa Waitel	do	Item 80 Estate of August Koeb, deceased. Orphans' Court, Hudson County, N. J.	5.32
Motja Hirs Satensteins	do	Item 54 Same	3.00	Jessie Scherf	do	Item 81 Same	5.31
Yetta Satensteins	do	Item 55 Same	3.00	Josef Alblinger	do	Item 82 Same	5.31
Teresina Antonarelli	Italy	Item 56 Estate of Michael Anto- narelli, also known as Mike Antonarelli, de- ceased. Orphans' Court, Somerset County, N. J.	53.69	Ferdinand Alblinger	do	Item 83 Same	5.31
Durante Antonarelli	do	Item 57 Same	67.69	Rosa Zigarelli	Italy	Item 84 Estate of Alberto Zigarelli, deceased. Surrogate's Court, Passaic County, N. J.	11.67
Johanna E. Jury Meyer	Netherlands	Item 58 Estate of Peter E. Meyer, deceased. Orphans' Court, Essex County, N. J.	14.69	Carmina Zigarelli	do	Item 85 Same	11.67
Albert Meyer	do	Item 59 Same	10.69	Ermelinda Zigarelli	do	Item 86 Same	11.65
Geleyn Meyer	do	Item 60 Same	10.69	Teresa Montellero	do	Item 87 Estate of Michele Montel- lero, deceased. Surro- gate's Court, Passaic County, N. J.	53.60
Pieter Meyer	do	Item 61 Same	10.69	Mary Hervath	Austria	Item 88 Estate of John Hervath, also known as John Her- vath and John Her- vath, deceased. Surro- gate's Court, Bergen County, N. J.	15.00
Axel Petersen	Denmark	Item 62 Estate of Leon R. Peter- sen, deceased. Orphans' Court, Hudson County, N. J.	57.60	Stephen Hervath	do	Item 89 Same	15.00
Carlo Petersen	do	Item 63 Same	57.60	Charles Hervath	do	Item 90 Same	15.00
Margarita Pignone	Italy	Item 64 Estate of Domenico Pign- none, deceased. County Court, Passaic County, N. J.	110.69				
Yolanda Lappano	do	Item 65 Estate of Saverio Lapp- ano, deceased. Or- phans' Court, Passaic County, N. J.	82.69				
Clementina Lappano	do	Item 66 Same	63.69				

NOTICES

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 91</i>				<i>Item 104</i>	
Fillomena DeMartino.....	Italy.....	Estate of Joseph DeMartino, also known as Giuseppe DeMartino, Jose and Jose DeMartino, deceased. Orphans' Court, Essex County, N. J.	\$12.00	Angelina P. Chiodo.....	Italy.....	Estate of Emilio Pascuzzi, deceased. Orphans' Court, Atlantic County, N. J.	\$38.60
Teresa DeMartino.....	do.....	<i>Item 92</i>	4.00	Michaelina Sirianni.....	do.....	<i>Item 105</i>	33.60
Giovanna DeMartino.....	do.....	<i>Item 93</i>	4.00	Giovanni Pascuzzi.....	do.....	<i>Item 106</i>	6.43
Giuseppa DeMartino.....	do.....	<i>Item 94</i>	4.00	Rosina Pascuzzi.....	do.....	<i>Item 107</i>	6.43
Nicola DeMartino.....	do.....	<i>Item 95</i>	4.00	Anita Pascuzzi.....	do.....	<i>Item 108</i>	6.43
Emilio DeMartino.....	do.....	<i>Item 96</i>	4.00			Estate of Emilio Pascuzzi, deceased. Orphans' Court, Atlantic County, N. J.	
Raffaele DeMartino.....	do.....	<i>Item 97</i>	3.00	Josine Pascuzzi.....	do.....	<i>Item 109</i>	6.43
		<i>Item 98</i>		Marietta Pascuzzi.....	do.....	<i>Item 110</i>	6.44
Costas Antonopolos.....	Greece.....	Estate of George S. Antonopolos, also known as George S. Anthony, deceased. Orphans' Court, Mercer County, N. J.	27.34	Joseph Pascuzzi.....	do.....	<i>Item 111</i>	6.44
Trifantilla Antonopolos.....	do.....	<i>Item 99</i>	27.33	Michaelina Costanzo.....	do.....	<i>Item 112</i>	9.63
Malamati Antonopolos.....	do.....	<i>Item 100</i>	27.33	Frances Pascuzzi.....	do.....	<i>Item 113</i>	9.63
		<i>Item 101</i>		Emilio Pascuzzi.....	do.....	<i>Item 114</i>	9.63
Constantin Kaji Panagiotou.....	do.....	Estate of John Kaji Panagiotou, deceased, also known as John C. Panagiotou, deceased. Orphans' Court, Essex County, N. J.	41.33	Maria Chiodo.....	do.....	<i>Item 115</i>	9.63
		<i>Item 102</i>		Umberto Pascuzzi.....	do.....	<i>Item 116</i>	19.20
Melachini Kaji Panagiotou.....	do.....	Estate of John Kaji Panagiotou, deceased, also known as John C. Panagiotou, deceased. Orphans' Court, Essex County, N. J.	41.33	Eurichetta Pascuzzi.....	do.....	<i>Item 117</i>	19.20
		<i>Item 103</i>					
Paulixani Kaji Panagiotou.....	do.....	Same.....	41.34				

[F. R. Doc. 48-5188; Filed, June 9, 1948; 8:56 a. m.]

[Vesting Order CE 445]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MASSACHUSETTS COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said

persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken,

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Frank Mancuso fu Giacomo.	Italy.....	<i>Item 1</i> Estate of Frank Mancuso fu Giacomo, under guardianship, Probate Court, Berkshire County, Mass. No. 35741.	\$40.00	Andrew Avranitis.....	Greece.....	<i>Item 18</i> Estate of Theodore P. Avlon, deceased. Probate Court, Hampden County, Mass.	\$213.00
Hilda Holm.....	Norway.....	<i>Item</i> Estate of Johanne Holm, also known as Johanna Holm, deceased. Probate Court, Essex County, Mass. No. 293624.	15.00	Estorina Accorilli.....	Italy.....	<i>Item 19</i> Estate of Guglielmo Arturo, also known as William Arturo, deceased. Probate Court, Suffolk County, No. 312359, Massachusetts.	5.00
Maren Serlie.....	do.....	<i>Item 3</i> Same.....	15.00	Alfredo Arturo.....	do.....	<i>Item 20</i> Same.....	73.00
Nancy Frantzen.....	do.....	<i>Item 4</i> Estate of Oswald Frantzen, deceased. Probate Court, Suffolk County, Mass. No. 320868.	21.00	John Rana.....	do.....	<i>Item 21</i> Estate of Michael Rana, also known as Michael Rana and Michael Rana, deceased. Probate Court, Worcester County, No. 143337, Massachusetts.	50.00
Alf Frantzen.....	do.....	<i>Item 5</i> Same.....	21.00	Charles Merks.....	Lithuania.....	<i>Item 22</i> Estate of Joseph Merks, deceased. Probate Court, Essex County, No. 197757, Massachusetts.	5.40
Maria Molino Spedaliere.	Italy.....	<i>Item 6</i> Estate of Francesco Molino, deceased. Probate Court, Norfolk County, No. 110725, Massachusetts.	17.00	Annie Merks.....	do.....	<i>Item 23</i> Same.....	5.40
Gemma Molino Cotrone.	do.....	<i>Item 7</i> Same.....	17.00	Angella Merks Regalino.	do.....	<i>Item 24</i> Same.....	5.40
Pamela Cassettari.....	do.....	<i>Item 8</i> Estate of Luigi Cassettari, deceased. Probate Court, Suffolk County, No. 323340, Massachusetts.	42.00	Veronica Merks Baluchis.	do.....	<i>Item 25</i> Same.....	5.40
Eletta Porciani.....	do.....	<i>Item 9</i> Same.....	10.00	Joseph Merks.....	do.....	<i>Item 26</i> Same.....	1.80
Lidia Cassettari.....	do.....	<i>Item 10</i> Estate of Luigi Cassettari, deceased. Probate Court, Suffolk County, No. 323340, Massachusetts.	5.00	Charles Merks (nephew).	do.....	<i>Item 27</i> Same.....	1.80
Maria Cassettari.....	do.....	<i>Item 11</i> Same.....	5.00	Emilia Malacuchiera.....	do.....	<i>Item 28</i> Same.....	1.80
Emilia Jennie Capponi Introna.	do.....	<i>Item 12</i> Estate of Ines Thomas, deceased. Probate Court, Suffolk County, No. 310077, Massachusetts.	12.07	Raffaella Di Donna.....	Italy.....	<i>Item 29</i> Estate of Joseph Morvillo, also known as Giuseppe Morvillo and Giuseppe Morvillo, deceased. Probate Court, Norfolk County, No. 104277, Massachusetts.	25.00
Laudice Capponi Mariani.	do.....	<i>Item 13</i> Same.....	12.07	Lucia Patriarca.....	do.....	<i>Item 30</i> Estate of Gina Cardonna, deceased. Probate Court, Norfolk County, No. 102372, Massachusetts.	110.00
Ida Barcellini or Renato Silvestri and First Church of Christ Scientist.	do.....	<i>Item 14</i> Same.....	12.03	Maria Royal or Eliza Bagnoli.	do.....	<i>Item 31</i> Estate of Ernest Henry Royal, deceased. Probate Court, Suffolk County, No. 313727, Massachusetts.	71.00
Mabel L. Hastings.....	do.....	<i>Item 15</i> Trust under the will of Alphonse W. Hastings, deceased. Probate Court, Middlesex County, Mass.	45.00	Florence Avitabile.....	do.....	<i>Item 32</i> Estate of Thomas D. Corval, deceased. Probate Court, Bristol County, No. 61111, Massachusetts.	143.00
Lyyli Koskenhovi.....	Finland.....	<i>Item 16</i> Estate of Paavo A. Koskenhovi, also known as Paavo Koskenhovi, deceased. Probate Court, Middlesex County, No. 235159, Massachusetts.	114.00	Giuseppe Scalzi.....	do.....	<i>Item 33</i> Estate of Giovanni Scalzi, deceased. Probate Court, Suffolk County, No. 312343, Massachusetts.	42.00
Katri Arnevi (Koskenhovi).	do.....	<i>Item 17</i> Same.....	13.00	Mrs. Luigi Nicolai (Gwendolyn Emory Nicolai).	do.....	<i>Item 34</i> Estate of George D. Emory, deceased. Probate Court, Suffolk County, No. 140011, Massachusetts.	91.00

NOTICES

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Enrico Barsi.....	Italy.....	<i>Item 35</i> Estate of Ezio Barsi, deceased. Probate Court, Plymouth County, No. 57610, Massachusetts.	\$10.00	Gisella Tassanari, Raffaele Ranieri, Adolfo Dal'Olio and Clementina Scarabelli.	Italy.....	<i>Item 39</i> Estate of Ettore Tassanari, deceased. Probate Court, Essex County, Mass.	\$400.00
Olde Barsi.....	do.....	<i>Item 36</i> Same.....	10.00	Angelo Mignani, Ernesta Mignani, and Giovanni Mignani.	do.....	<i>Item 40</i> Same.....	300.00
Ezio Barsi.....	do.....	<i>Item 37</i> Same.....	10.00				
Bruno Barsi.....	do.....	<i>Item 38</i> Same.....	10.00				

[F. R. Doc. 48-5189; Filed, June 9, 1948; 8:56 a. m.]

[Vesting Order CE 446]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said

persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Lucy Howard Marchi.....	Italy.....	<i>Item 1</i> Trust under the will of Alfred H. Renshaw, deceased. Probate Court, District of Darien, Conn.	\$196.00	Ruth Brooks Palmer.....	Italy.....	<i>Item 9</i> Estate of Frank G. Palmer, deceased. Probate Court, District of East Hampton, Conn.	\$495.00
Luigi Cirio.....	do.....	<i>Item 2</i> Estate of Margherita Mariani, deceased. Probate Court, District of New Haven, Conn.	20.00	Rina Pizzagalli.....	do.....	<i>Item 10</i> Estate of Lorenzo Pizzagalli, deceased. Probate Court, District of Bridgeport, Conn.	100.00
Chiarina Rescigno.....	do.....	<i>Item 3</i> Same.....	20.00	Irma Pizzagalli.....	do.....	<i>Item 11</i> Same.....	60.25
Domenico Mangleri.....	do.....	<i>Item 4</i> Same.....	5.00	Mrs. Giovanna Falcone.....	do.....	<i>Item 12</i> Same.....	60.25
Raffaella Mangleri.....	do.....	<i>Item 5</i> Same.....	5.00	Victoria Chavos.....	Albania.....	<i>Item 13</i> Estate of Socrates Chavos, deceased. Probate Court, District of Torrington, Conn.	84.50
Caterina Mangleri.....	do.....	<i>Item 6</i> Same.....	5.00	Basile Chavos.....	do.....	<i>Item 14</i> Same.....	84.50
Vincenza Mangleri.....	do.....	<i>Item 7</i> Same.....	5.00	Giovanna Buassa.....	Italy.....	<i>Item 15</i> Estate of Antonio Buassa, deceased. Probate Court, District of Waterbury, Conn.	109.00
Melanie Mas.....	France.....	<i>Item 8</i> Estate of Ambrose Rossi, also known as Ambrogio Rossi, deceased. Probate Court, District of Berlin, New Britain, Conn.	100.00				

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 16</i>				<i>Item 34</i>	
Maria Formenti.....	do.....	Estate of Umberto Fermentelli, deceased. Probate Court, District of Middletown, Conn.	\$183.69	Kirstine Jensen.....	Denmark.....	Estate of Peter Hansen, deceased. Probate Court, District of Hartford, Conn.	\$1.73
		<i>Item 17</i>				<i>Item 35</i>	
Meanta Gaitano-Dondoro.....	do.....	Estate of Modalema Giustina Cuneo Dondoro, deceased. Probate Court, District of Meriden, Conn.	45.69	Anna Jensen.....	do.....	Same.....	1.73
		<i>Item 18</i>				<i>Item 36</i>	
Angelina Coiro.....	do.....	Estate of Antonio Coiro, or Tony Coiro, deceased. Probate Court, District of Hartford, Conn.	23.33	Laurino Jensen.....	do.....	Same.....	1.73
		<i>Item 19</i>				<i>Item 37</i>	
Armando Coiro.....	do.....	Same.....	45.67	Jens Thygesen Jensen.....	do.....	Same.....	1.73
		<i>Item 20</i>				<i>Item 38</i>	
Rosina Zamponi.....	do.....	Estate of Luigi Zamponi, deceased. Probate Court, District of New Haven, Conn.	91.59	Thra Jensen.....	do.....	Same.....	1.73
		<i>Item 21</i>				<i>Item 39</i>	
Lida Zamponi.....	do.....	Same.....	91.59	Pietro U. Mosca.....	Italy.....	Estate of Charles Mosca, deceased. Probate Court, District of Norwich, Conn.	11.25
		<i>Item 22</i>				<i>Item 40</i>	
Paolina Abbate Venezia.....	do.....	Estate of Francisco Abbate, deceased. Probate Court, District of Hartford, Conn.	188.09	Oressa A. Mosca.....	do.....	Same.....	11.25
		<i>Item 23</i>				<i>Item 41</i>	
Ruth Brooks Palmer.....	do.....	Trust under will of Elizabeth O. P. Bell for benefit of Ruth Brooks Palmer. Probate Court, District of Hartford, Conn.	111.00	Giuseppina Mosca.....	do.....	Same.....	11.25
		<i>Item 24</i>				<i>Item 42</i>	
Luigi Critelli.....	do.....	Estate of Thomas D. Critelli, deceased. Probate Court, District of Danbury, Conn.	117.09	Marianna Mosca.....	do.....	Same.....	11.25
		<i>Item 25</i>				<i>Item 43</i>	
Adam Wadien.....	Poland.....	Estate of Justino Wadin or Justine Wadin or Jessie Wadin or Justine Wadine, deceased. Probate Court, District of Hartford, Conn.	19.49	Salvatore Teresa Sibala Amenta.....	do.....	Estate of John Amenta, deceased. Probate Court, District of Berlin, Conn.	83.00
		<i>Item 26</i>				<i>Item 44</i>	
Louise Metzloff.....	do.....	Estate of Justino Wadin or Justine Wadin or Jessie Wadin or Justine Wadine, deceased. Probate Court, District of Hartford, Conn.	19.49	Antonina Amenta.....	do.....	Same.....	57.00
		<i>Item 27</i>				<i>Item 45</i>	
Marchone Crakasone.....	Italy.....	Estate of Alexander Pollmen, deceased. Probate Court, District of New Haven, Conn.	27.09	Giuseppina Amenta.....	do.....	Same.....	57.00
		<i>Item 28</i>				<i>Item 46</i>	
Concettina Miraglia.....	do.....	Same.....	27.09	Stefan Szaran.....	Poland.....	Estate of Michael Szaran, deceased. Probate Court, District of Berlin, Conn.	50.00
		<i>Item 29</i>				<i>Item 47</i>	
Knud Hansen.....	Denmark.....	Estate of Peter Hansen, deceased. Probate Court, District of Hartford, Conn.	8.67	Nycolaj Szaran.....	do.....	Same.....	50.00
		<i>Item 30</i>				<i>Item 48</i>	
Hans Peder Hansen.....	do.....	Same.....	8.67	Antonia Guerrera.....	Italy.....	Estate of Antonio Guerrera, deceased. Probate Court, District of Waterbury, Conn.	237.00
		<i>Item 31</i>				<i>Item 49</i>	
Eliás Marius Hansen.....	do.....	Same.....	8.67	Joseph Guerrera.....	do.....	Same.....	57.00
		<i>Item 32</i>				<i>Item 50</i>	
Sidse Marie Hansen.....	do.....	Same.....	8.67	Nicola Guerrera.....	do.....	Same.....	57.00
		<i>Item 33</i>				<i>Item 51</i>	
Eise Marie Hansen.....	do.....	Same.....	8.67	Maria Guerrera.....	do.....	Same.....	57.00
						<i>Item 52</i>	
						Estate of Giuseppina Breggi, also known as Giuseppina Breggi, or Giuseppina Breggi, deceased. Probate Court, District of Meriden, Conn.	42.20
						<i>Item 53</i>	
						Same.....	42.20
						<i>Item 54</i>	
						Same.....	42.20
						<i>Item 55</i>	
						Same.....	42.20
						<i>Item 56</i>	
						Same.....	42.20
						<i>Item 57</i>	
						Estate of Helma Kumpitich, also known as Helma Kumpitich, deceased. Probate Court, District of Hartford, Conn.	25.00

NOTICES

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Dominick Sanzo	Italy	Item 58 Estate of Celestino Sanzo, deceased. Probate Court, District of Hartford, Conn.	\$116.00	Mary Krason Kida	Poland	Item 78 Estate of Joseph Krason, deceased. Probate Court, District of Bridgeport, Conn.	\$30.50
Crociassi Fasolo	do	Item 59 Estate of Valentine Fasolo, deceased. Probate Court, District of Farmington, Conn.	110.00	Katarzyna Krason Skiba	do	Item 79 Same	30.50
Angelina Cirno	do	Item 60 Estate of Arsenio Cirno, deceased. Probate Court, District of New Haven, Conn.	122.00	Martin Thurner	Czechoslovakia	Item 80 Estate of Jacob Thurner, deceased. Probate Court, District of Manchester, Conn.	51.00
Luigia Rossi	do	Item 61 Estate of John Rossi, deceased. Probate Court, District of Hartford, Conn.	33.00	Katherine Steffany	do	Item 81 Same	51.00
Lucia Rossi	do	Item 62 Same	65.00	Juditha Lepter	do	Item 82 Same	51.00
Sacha Finesilver also known as Alexander Finesilver	France	Item 63 Estate of David Finesilver, deceased. Probate Court, District of Hartford, Conn.	100.34	Elrifemja Cihecka	Poland	Item 83 Estate of Stanislaw Ziolkowski, or S. Ziolkowski, deceased. Probate Court, District of Hartford, Conn.	27.50
Moses Finesilver	Russia	Item 64 Same	100.33	Victoria Ziolkowska	do	Item 84 Same	27.50
The two (2) sons (names unknown) of Aaron Finesilver, deceased.	do	Item 65 Same	100.33	Pauline Zultowska	do	Item 85 Same	27.50
Michael Rocco	Italy	Item 66 Estate of John Rocco, also known as Giovanni Rocco, also known as Giovanni Roca, deceased. Probate Court, District of Waterbury, Conn.	11.00	Wladyslawa Wolska	do	Item 86 Same	27.50
Carmela Rocco	do	Item 67 Same	11.00	Giuseppe Palmerio	Italy	Item 87 Estate of Camillo Palmerio, deceased, also known as Sam Palmerio, deceased. Probate Court, District of New Canaan, Conn.	53.00
Angellina Rocco	do	Item 68 Same	11.00	Vita Palmerio	do	Item 88 Same	53.00
Concetta Rocco	do	Item 69 Same	11.00	Anna Palmerio	do	Item 89 Same	53.00
Abraham Cohen	Philippine Islands	Item 70 Estate of Lena Cohen, deceased. Probate Court, District of New Haven, Conn.	25.00	Maria Palmerio	do	Item 90 Same	53.00
Ruggerio Calcinari	Italy	Item 71 Estate of Girolamo Calcinari, also known as Ciro Calcinari, deceased. Probate Court, District of Berlin, Conn.	21.25	Lucy Howard Marchi	do	Item 91 Trust under the will of Lucy B. Renshaw, deceased. Probate Court, District of Darien, Conn.	154.00
Adam Calcinari	do	Item 72 Same	21.25	Domenico Rinaldi (Falcone)	do	Item 92 Estate of Ralph Rinaldi, also known as Raffaele Rinaldi, deceased. Probate Court, District of Waterbury, Conn.	50.00
Eva Calcinari	do	Item 73 Same	21.25	Amelia Salvaterra	do	Item 93 Estate of Albino Salvaterra, deceased. Probate Court, District of Hartford, Conn.	100.00
Mrs. Cesari Mancini	do	Item 74 Same	21.25	Mrs. Josephine Gervase	do	Item 94 Estate of Mariano Gervasi, also known as Mariano Gervase, deceased. Probate Court, District of Derby, Conn.	12.50
Heirs of law, next of kin, names unknown, of Ignacy Labiszewski, deceased.	Poland	Item 75 Estate of Ignacy Labiszewski, deceased. Probate Court, District of Darien, Conn.	45.00	Miss Josephine Gervase	do	Item 95 Same	12.50
Michael J. Sopko, Sr.	Czechoslovakia	Item 76 Estate of Michael J. Sopko, also known as Michael Sopko, deceased. Probate Court, District of Bridgeport, Conn.	94.00	Maria Molino Spedaliere	do	Item 96 Estate of Francesco Molino, also known as Frank Molino, deceased. Probate Court, District of Bridgeport, Conn.	48.00
Elizabeth Kalmanidos	Greece	Item 77 Estate of James Lazaros, deceased. Probate Court, District of Derby, Conn.	132.00	Gemma Molino Cotrone	do	Item 97 Same	48.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Pangrazio Visca	Italy	Item 98 Estate of Eugenia Visca Ballangero, deceased. Probate Court, District of Berlin, Conn.	\$23.00	Giovanna Guglielmotti	Italy	Item 107 Estate of Antonio Guglielmotti, deceased. Probate Court, District of Torrington Conn.	\$13.00
Children of Giovanni Visca, deceased	do	Item 99 Same	23.00	Joseph Guglielmotti	do	Item 108 Same	10.00
Tina Visca	do	Item 100 Same	23.00	Amelia Maria Guglielmotti	do	Item 109 Same	10.00
Teresa Visca	do	Item 101 Same	23.00	Teresa Corvino	do	Item 110 Estate of Antonio Palmieri, deceased. Probate Court, District of Berlin, Conn.	62.00
Angela Visca	do	Item 102 Same	23.00	Carolina Palmieri	do	Item 111 Same	62.00
Lucie Matignon (also known as Jean Jacques Matignon).	France	Item 103 Trust under the will of John H. Goodwin, deceased. Probate Court, District of Hartford, Conn.	175.00	Domenico Palmieri	do	Item 112 Same	62.00
Louise Miner (also known as Mrs. Pierre Rene Miner).	do	Item 104 Same	175.00	Maria Zamperini	do	Item 113 Estate of Angelo Raffaele Zamperini, deceased. Probate Court, District of Torrington, Conn.	64.00
Oscar J. Carlson	Denmark	Item 105 Estate of Lars John Larson, also known as John Larson, deceased. Probate Court, District of Branford, Conn.	79.23	Giuseppe Luzi	do	Item 114 Estate of Mestio Luzi, deceased. Probate Court, District of New Haven, Conn.	101.00
Cesira Astolfi Zennaro	Italy	Item 106 Estate of Odone Astolfi, deceased. Probate Court, District of New Haven, Conn.	238.00				

[F. R. Doc. 48-5190; Filed, June 9, 1948; 8:50 a. m.]

[Vesting Order CE 447]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Abello Riccardi	Italy	Item 1 Guardianship, estate of Abello Riccardi, incompetent. Superior Court, San Francisco County, Calif. No. 32179.	\$43.00	Placido Abaya	Philippine Islands	Item 5 Guardianship Estate of Placido Abaya, incompetent. Superior Court, San Francisco County, Calif. No. 43773.	\$73.00
Michail P. Terplina	Greece	Item 2 Estate of Charles P. Terplina, a/k/a Kostandino P. Terplina, deceased. Superior Court, San Francisco County, Calif. No. 92230.	15.00	Maria Ullman	Czechoslovakia	Item 6 Estate of Anna Rabstineck, deceased. Superior Court, Los Angeles County, Calif. No. P-5912.	27.00
Chrisafi Petrou Diamanti	do	Item 3 Same	15.00	Marketa Honka	do	Item 7 Same	27.00
Fani K. Bosdaki	do	Item 4 Same	15.00				

NOTICES

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Ernestina Lasagna Semino.	Italy.....	Item 8 Estate of Gianbattista Lasagna, deceased. Superior Court, San Francisco County, Calif. No. 93745.	\$47.00	Jovo Runjevic.....	Jugoslavia.....	Item 27 Estate of Nick Runjevic, a/k/a Nick Runjaovic, deceased. Superior Court, Fresno County, Calif. No. 18593.	\$64.15
Maria Ferrero, Lina Ferrero or heirs of Attilio Pantagine.	do.....	Item 9 Estate of Teresa Barbieri, deceased. Superior Court, San Francisco County, Calif. No. 98345.	73.00	Alexandrine Lacour.....	France.....	Item 28 Estate of Clotilde Rossi, a/k/a Josephine Saure Lambert and Josephine Faure Lambert, deceased. Superior Court, San Francisco County, Calif. No. 86032.	234.00
Victor LaVerne Stewart.	China.....	Item 10 Estate of Stella Edith Wilson, deceased. Superior Court, Los Angeles County, Calif. No. 218995.	79.28	Paul Laforet.....	do.....	Item 29 Same.....	234.00
Ernesta Sottani.....	Italy.....	Item 11 Estate of John Guerizoli, a/k/a J. Guerizoli, deceased. Superior Court, San Mateo County, Calif. No. 12064.	23.00	Elizabeth Rossi Di Gilio.	Italy.....	Item 30 Same.....	69.00
Enrichetta Firenze.....	do.....	Item 12 Same.....	23.00	Sabro Raven.....	Denmark.....	Item 31 Estate of James Raven, deceased. Superior Court, San Francisco County, Calif. No. 92709.	48.00
The personal representative, heirs, next of kin, legatees and distributees of Mrs. Helene Beaudoux, deceased.	France.....	Item 13 Estate of Louise Beaudoux, deceased. Superior Court, Los Angeles County, Calif. No. 194,536.	25.56	Margrethe Raven.....	do.....	Item 32 Same.....	48.00
The personal representative, heirs, next of kin, legatees and distributees of Albert Beaudoux, deceased.	do.....	Item 14 Same.....	25.56	Cecille Skaarup.....	do.....	Item 33 Same.....	48.00
Mrs. Yvonne Beaudoux.	do.....	Item 15 Same.....	25.56	Joseph Langlard, or his heirs at law, legatees and personal representatives, names unknown.	France.....	Item 34 Estate of Henri Langlard, deceased. Superior Court, Alameda County, Calif., No. 88316.	155.00
The personal representative, heirs, next of kin, legatees and distributees of Edmond Beaudoux, deceased.	do.....	Item 16 Same.....	25.56	Mary Mathiasen.....	Denmark.....	Item 35 Estate of Nels J. Nelson, deceased. Superior Court, Alameda County, Calif. No. 86601.	2.04
Mrs. Blanche Sevestre.....	do.....	Item 17 Estate of Louise Beaudoux, deceased. Superior Court, Los Angeles County, Calif. No. 194,536.	25.56	Kansine Larsen.....	do.....	Item 36 Same.....	2.04
Mrs. Aline Sevestre.....	do.....	Item 18 Same.....	25.55	Kristine Andersen.....	do.....	Item 37 Same.....	2.04
Georges Beaudoux.....	do.....	Item 19 Same.....	25.55	Hans Nielsen.....	do.....	Item 38 Same.....	2.04
Gaetan Leloup.....	do.....	Item 20 Same.....	25.55	Johanne Jensen.....	do.....	Item 39 Estate of Nels J. Nelson, deceased. Superior Court, Alameda County, Calif. No. 86601.	2.04
Gabriel Gouelle.....	do.....	Item 21 Same.....	25.55	Katrine Melby.....	do.....	Item 40 Same.....	12.20
Hans Andersen.....	Denmark.....	Item 22 Estate of Christ Andersen, deceased. Superior Court, Fresno County, Calif. No. 17,104.	40.00	Jens Kristin Nielsen.....	do.....	Item 41 Same.....	12.20
Ulrick Andersen.....	do.....	Item 23 Same.....	40.00	Malvina Holmgren.....	do.....	Item 42 Same.....	15.21
Johanne Andersen.....	do.....	Item 24 Same.....	40.00	Hilda Nelson Soby.....	do.....	Item 43 Same.....	2.04
Giovanni Orier.....	Italy.....	Item 25 Estate of Victor Orier, deceased. Superior Court, Monterey County, Calif. No. 8877.	24.00	Andon Andonian.....	Bulgaria.....	Item 44 Estate of George Andonian, deceased. Superior Court, Fresno County, Calif. No. 18591.	42.00
Maria Orier.....	do.....	Item 26 Same.....	24.00	Tomaso Dallorso.....	Italy.....	Item 45 Estate of Luigi Ghio, deceased. Superior Court, San Francisco County, Calif. No. 93114.	50.00
				Antonio Dallorso.....	do.....	Item 46 Same.....	10.00
				Stefano Dallorso.....	do.....	Item 47 Same.....	10.00
				Emanuele Dallorso.....	do.....	Item 48 Same.....	10.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Mrs. Laura Nielson	Norway	Item 49 Estate of Harry A. Jacobson, deceased. Superior Court, San Francisco County, Calif. No. 90035.	\$27.59	Luce Broques Tuzard	France	Item 65 Estate of Laurent Broques, deceased. Superior Court, Alameda County, Calif. No. 83914.	\$35.79
Mrs. Lina Mathesen	do	Item 50 Same	27.59	Adèle Broques Lema	do	Item 66 Same	35.79
Maria Natoli	Italy	Item 51 Estate of Giovanni Natoli, a/k/a John Natoli, deceased. Superior Court, Los Angeles County, Calif. No. 254870.	47.09	Joseph Broques	do	Item 67 Estate of Laurent Broques, deceased. Superior Court, Alameda County, Calif. No. 83914.	35.79
Mrs. Johanna Buys	Holland	Item 52 Estate of Margaret L. Rutgers, deceased. Superior Court, Alameda County, Calif. No. 89455.	43.09	Etienne Broques	do	Item 68 Same	35.79
Sophia Milborn	do	Item 53 Same	43.09	Pierre Larricu	do	Item 69 Same	23.87
Henrietta Osterbrook	do	Item 54 Same	43.09	Cecile Darbonne	do	Item 70 Same	23.87
Frederikke Gron	Denmark	Item 55 Estate of Meta Therese Green, a/k/a Meta T. Green and Meta Green, deceased. Superior Court, San Francisco County, Calif. No. 90331.	23.09	Julien Larricu	do	Item 71 Same	23.85
Freda Gron	do	Item 56 Same	23.09	Gratien Rencabaz	do	Item 72 Same	14.31
Benedotta Parrino	Italy	Item 57 Estate of Guiseppe Parrino, deceased. Superior Court, San Francisco County, Calif. No. 93492.	45.09	Mrs. Laurence Larricu-Balubet	do	Item 73 Same	14.31
Nickola Franusich	Yugoslavia	Item 58 Estate of Frank Franusich, deceased. Superior Court, San Francisco County, Calif. No. 93171.	10.09	Victorina Benarato	do	Item 74 Same	14.31
Anton Franusich	do	Item 59 Same	10.09	Bernard Rencabaz	do	Item 75 Same	14.31
Mary Franusich	do	Item 60 Estate of Frank Franusich, deceased. Superior Court, San Francisco County, Calif. No. 93171.	10.09	Maria Craidi	Italy	Item 76 Estate of Archimede Vivario, deceased. Superior Court, San Francisco County, Calif. No. 100619.	12.72
Matija Marcina	do	Item 61 Estate of Sam Santo Marchina, a/k/a Sime Santo Marchina, deceased. Superior Court, Los Angeles County, Calif. No. 243136.	47.09	Edvige Bolzochini	do	Item 77 Same	1.84
Maria Lucia Bianca Iapichino	Italy	Item 62 Estate of Gaetano Iapichino, deceased. Superior Court, San Francisco County, Calif. No. 98591.	33.09	Angelo Vivario	France	Item 78 Same	12.72
Caterina Fazio Vanella	do	Item 63 Estate of Antonio Vanella, deceased. Superior Court, Santa Clara County, Calif. No. 23355.	143.75	Carlo Bianchi	Italy	Item 79 Same	4.24
Mrs. Martha Malich	Yugoslavia	Item 64 Estate of John Popovich, a/k/a J. Popovich, deceased. Superior Court, Sacramento County, Calif. No. 18334.	29.09	Mario Bianchi	do	Item 80 Same	4.24
				Bice Bianchi	do	Item 81 Same	4.24
				Joseph Gerace	do	Item 82 Estate of Carmen Gerace, deceased. Superior Court, Alameda County, Calif. No. 91903.	43.09
				Giovanni Bertello	do	Item 83 Estate of Antonio Bertello, a/k/a Toni Bertello and Antonio Bertello, deceased. Superior Court, Santa Clara County, Calif. No. 23374.	32.09
				Maria Badaracco	do	Item 84 Estate of Luigi Gandolfo, deceased. Superior Court, Alameda County, Calif. No. 83207.	72.09
				Mario Ruggiero	do	Item 85 Estate of Romano Ruggiero, deceased. Superior Court, Santa Clara County, Calif. No. 23305.	203.97
				Luigia Pana	do	Item 86 Estate of Anthony Pana, deceased. Superior Court, San Francisco County, Calif. No. 64730.	27.09

EXHIBIT A—Continued

Column 1	Column 2	Column 3	Column 4	Column 1	Column 2	Column 3	Column 4
Name	Country or territory	Action or proceeding	Sum vested	Name	Country or territory	Action or proceeding	Sum vested
Andres Sagadalen, a/k/a Anders Andersen.	Norway	Item 87 Estate of Mari Christensen, deceased. Superior Court, Alameda County, Calif. No. 87879.	\$43.00	John Plataniotis	Greece	Item 111 Estate of Euthymia Coloburos, deceased. Superior Court, San Francisco County, Calif. No. 91065.	\$13.00
Elling A. Moen, a/k/a Elling Andersen Moen.	do	Item 88 Estate of Mari Christensen, deceased. Superior Court, Alameda County, Calif. No. 87879.	43.00	Community of the Town of Galaxeidion.	do	Item 112 Same.	13.00
Helene Oldebraaten, a/k/a Helene Oldebraten.	do	Item 89 Same.	43.00	Giulio Ferrando	Italy	Item 113 Estate of Giuseppe Ferrando, deceased. Superior Court, San Francisco County, Calif. No. 87779.	12.00
Halvor K. Trælup	do	Item 90 Same.	6.15	Marina Ferrando	do	Item 114 Same.	12.00
Olaf K. Trælup, a/k/a Olav K. Trælup.	do	Item 91 Same.	6.14	Children of Angiolina Perfumo, a predeceased sister.	do	Item 115 Same.	12.00
Mari K. Olsen	do	Item 92 Same.	6.14			Item 116	
Hanna K. Skar	do	Item 93 Same.	6.14	Zacarias Espejo	Philippine Islands	Estate of Leoncio Manongdo Espejo, deceased. Superior Court, Tulare County, Calif. No. 9133.	46.00
Kornelius Kristensen	do	Item 94 Same.	6.14			Item 117	
Kristen Gunerius Kristensen, a/k/a Kristen G. Kristensen.	do	Item 95 Same.	6.14	Zanofon Zaharenes	Greece	Estate of George Zaharenes, deceased. Superior Court, Fresno County, Calif. No. 17688.	27.00
Gudveig Trælup	do	Item 96 Same.	2.05			Item 118	
Reldar Trælup, a/k/a Reldar Trælup.	do	Item 97 Same.	2.05	Gramateke Gostandas	do	Same.	27.00
Kristi Trælup	do	Item 98 Same.	2.05			Item 119	
Pellegrina Giusti	Italy	Item 99 Estate of Angelo Giusti, deceased. Superior Court, San Francisco County, Calif. No. 95552.	34.00	Guilia Fomasi	Italy	Estate of Luigi Fomasi, a/k/a Luigi Fomasi, deceased. Superior Court, San Francisco County, Calif. No. 99578.	33.00
Inga Baan	Norway	Item 100 Estate of Laura K. Westman, deceased. Superior Court, Alameda County, Calif. No. 77083.	10.00	Marianna Fomasi	do	Item 120 Same.	8.00
Lina Slaata	do	Item 101 Estate of Laura K. Westman, deceased. Superior Court, Alameda County, Calif. No. 77083.	10.00	Ettore Fomasi	do	Item 121 Same.	8.00
Anne Olsen	do	Item 102 Same.	10.00	Teresa Buccellato	do	Item 122 Estate of Gaetano Buccellato, deceased. Superior Court, San Francisco County, Calif. No. 99628.	32.00
Felicidad Bolo Clemente.	Philippine Islands	Item 103 Estate of Patrio Valdez Clemente, deceased. Superior Court, Orange County, Calif. No. P. A. 189.	29.00	Anna Pilara	do	Item 123 Same.	32.00
Ivo Barovich	Yugoslavia	Item 104 Estate of Steve Barovich, a/k/a S. Barovich, deceased. Superior Court, Santa Cruz County, Calif. No. 8646.	7.00	Jean Boyer	France	Item 124 Estate of Joseph Ganguet, deceased. Superior Court, Los Angeles County, Calif. No. 210,600.	108.00
Pasko Barovich	do	Item 105 Same.	7.00	Auria Moses Cornelius	do	Item 125 Estate of Edith Moses, deceased. Superior Court, Alameda County, Calif. No. 87915.	81.00
Nike Petkovich	do	Item 106 Same.	7.00	Niels Schmidt a/k/a Nills Chmidt.	Denmark	Item 126 Estate of Hans Nielsen Schmidt, a/k/a Hans Chmidt, deceased. Superior Court, Madera County, Calif. No. 1840.	120.00
Anna Sasello	do	Item 107 Same.	7.00			Item 127	
Mary Knego	do	Item 108 Same.	7.00	Vaso L. Jovanovich	Yugoslavia	Estate of Leo L. Jovanovich, deceased. Superior Court, San Diego County, Calif. No. 33690.	92.00
Joanna E. Skoura	Greece	Item 109 Estate of Euthymia Coloburos, deceased. Superior Court, San Francisco County, Calif. No. 91065.	13.00			Item 128	
Garyfalia nee Platanioti (marriage name unknown).	do	Item 110 Same.	13.00	Hoh Seo	China	Estate of Robert Leong, deceased. Superior Court, San Francisco County, Calif. No. 88373.	41.00

EXHIBIT A—Continued

G-

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Carl C. Jensen	Denmark	Item 182 Estate of John Jensen, deceased. Superior Court, San Francisco County, Calif. No. 90727.	\$53.14	Neza Grabek	Yugoslavia	Item 142 Estate of Joseph Abetz, deceased. Superior Court, San Francisco County, Calif. No. 93317.	\$18.02
Carla Hansen	do	Same Item 183	53.14	Ursula Malerich	do	Same Item 150	18.01
Henrietta Gundel	do	Same Item 181	27.58	Theresa La Vedova	Italy	Item 151 Estate of Joe La Vedova, a/k/a Joe Lavedova, Giuseppe La Vedova and Joe White, deceased. Superior Court, Santa Clara County, Calif. No. 24379.	20.09
Anna Sorensen	do	Same Item 182	53.14	Suzanne Kahn	France	Item 152 Estate of Henry Lazare, deceased. Superior Court, San Mateo County, Calif. No. 19554.	120.50
Jean Cailhabot	France	Item 183 Estate of Pascal Cailha- bot, deceased. Superior Court, San Francisco County, Calif. No. 93938.	22.09	Yvonne Lazare	do	Same Item 153	120.50
Marie Cailhabot	do	Same Item 184	22.09	Josefa Alvares	Philippine Islands	Item 154 Estate of Alfonso Alvares, deceased. Superior Court, San Francisco County, Calif. No. 93742.	18.50
Anna Cailhabot	do	Same Item 185	22.09	Alexander Alvares	do	Item 155 Estate of Alfonso Alvares, deceased. Superior Court, San Francisco County, Calif. No. 93742.	18.50
Georgia Kiskiras	Greece	Item 187 Estate of Peter E. Giano- poulos, deceased. Super- ior Court, San Diego County, Calif. No. 29979.	162.09	Giovanni Fumaci	Italy	Item 157 Estate of Giovanni Fu- maci, deceased. Super- ior Court, San Mateo County, Calif. No. 19915.	53.00
Panayiotis Terliamis	do	Item 187 Estate of John Terliamis, a/k/a John E. Terliamis, deceased. Superior Court, Los Angeles County, Calif. No. 224531.	37.65	George Tsouramakis	Greece	Item 157 Estate of Erienes Tsoura- makis, deceased. Su- perior Court, San Fran- cisco County, Calif. No. 96211.	13.80
Spiridoula Ketiane	do	Same Item 188	37.67	Urania Kotronaki	do	Same Item 158	13.80
Chrysavgi Papatranta- filou	do	Same Item 189	37.67	Themistocles Kotronaki	do	Same Item 159	13.80
Amerco Gemignani	Italy	Item 140 Estate of Modesto Gemig- nani, deceased. Super- ior Court, San Mateo County, Calif. No. 12946.	61.65	Nick Tsouramakis	do	Same Item 161	13.80
Guido Gemignani	do	Same Item 141	61.65	Mrs. Benjamin Oan- dazian	Philippine Islands	Item 162 Estate of Delphine Taver- ier, deceased. Superior Court, Los Angeles County, Calif. No. 22927.	729.00
Bruna Gemignani	do	Same Item 142	61.65	Gustav Pinaoy	Belgium	Item 163 Estate of Mary Vandaele, a/k/a Maria Vandaele, deceased. Superior Court, Los Angeles County, Calif. No. 25333.	24.67
Palmira Gemignani	do	Same Item 143	61.65	Eulalia Pinaoy	do	Same Item 164	24.67
Pia Lencioni	do	Same Item 144	61.65	Mrs. Elvira Pinaoy	do	Same Item 165	4.11
Catherine Kais	Yugoslavia	Item 145 Estate of George Kais, de- ceased. Superior Court, Sacramento County, Calif. No. 22992.	53.09				
Andreas Michael Latses	Greece	Item 146 Estate of Georgios Latses, a/k/a George Latts, George Latts and George Latts, deceased. Su- perior Court, San Fran- cisco County, Calif. No. 84118.	34.09				
Ole N. Olesen	Denmark	Item 147 Estate of Sine Tolman, a/ k/a Hansine Tolman, Mrs. Eddy Tolman, Sine Olesen, Thomasine Tolman, Thomasine Olesen and T. O. Olesen, deceased. Superior Court, San Francisco County, Calif. No. 85788.	53.50				
Jens Olesen	do	Same Item 148	53.50				

NOTICES

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EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Mrs. Noe Pinoy.....	Belgium.....	Item 166 Estate of Mary Vandaele, a/k/a Marie Vandaele, deceased. Superior Court, Los Angeles County, Calif. No. 208333.	\$4.11	Achille Cervelli.....	Italy.....	Item 187 Estate of Domenico Cer- velli, deceased. Super- ior Court, San Francisco County, Calif. No. 84469.	\$32.00
Mrs. Gerardine Pinoy.....	do.....	Item 167 Same.....	4.11	Adele Bartoli.....	do.....	Item 188 Same.....	10.00
Mrs. Marie Pinoy.....	do.....	Item 168 Same.....	4.11	Achille Cervelli.....	do.....	Item 189 Achille Cervelli v. Adolfo Cervelli and Giuseppe Cervelli as Executors u/w of Felice Cervelli, deceased. Superior Court, San Francisco County, Calif. No. 327549.	70.00
Mrs. Albertine Pinoy.....	do.....	Item 169 Same.....	4.11				
Mrs. Rachel Pinoy.....	do.....	Item 170 Same.....	4.11				
Fong Shee.....	China.....	Item 171 Estate of Pon Man On, deceased. Superior Court, Monterey Coun- ty, Calif. No. 7605.	74.00	Vicente Jarata.....	Philippine Islands..	Item 190 Estate of Luciano Jarata, deceased. Superior Court, San Francisco County, Calif. No. 89350.	8.00
Johannes Rasmussen.....	Denmark.....	Item 172 Estate of James G. Ras- mussen, deceased. Su- perior Court, Sacra- mento County, Calif. No. 23348.	18.00	Apolinaria Jarata.....	do.....	Item 191 Same.....	8.00
Marius Rasmussen.....	do.....	Item 173 Same.....	18.00	Eduarda Jarata.....	do.....	Item 192 Same.....	8.00
Jensine Rasmie Ras- mussen.....	do.....	Item 174 Same.....	18.00	Karl Larsen Fjellestad..	Norway.....	Item 193 Estate of Lars Larsen, de- ceased. Superior Court, San Diego County, Calif. No. 32698.	20.00
Kristine Rasmussen.....	do.....	Item 175 Same.....	18.00	Ole Larsen Fjellestad..	do.....	Item 194 Same.....	20.00
Anna Dortha Kirstine Rasmussen.....	do.....	Item 176 Same.....	18.00	Sophie Flesche.....	do.....	Item 195 Same.....	20.00
Foro Zoullano.....	Greece.....	Item 177 Estate of Anton Palikar, deceased. Superior Court, San Francisco County, Calif. No. 87884.	25.00	Kristene Bjonlegard.....	do.....	Item 196 Same.....	20.00
Marianthe Strav- ropoulos.....	do.....	Item 178 Estate of John Panagiotis Pillikings, deceased. Superior Court, Marin County, Calif. No. 7117.	38.00	Luiga Basila.....	Italy.....	Item 197 Estate of Frank Basila, a/k/a Francesco Basile, deceased. Superior Court, San Bernardino County, Calif. No. PA- 1221.	23.00
Evangelos Constantine Pillikings.....	do.....	Item 179 Same.....	19.00	Luisa Martinelli.....	do.....	Item 198 Same.....	23.00
Panagiotis Constantine Pillikings.....	do.....	Item 180 Same.....	19.00	Anna Sarabua.....	Estonia.....	Item 199 Estate of Edward Auna- pu, deceased. Superior Court, San Francisco County, Calif. No. 83522.	22.00
Kohari Sandor.....	Hungary.....	Item 181 Estate of Julius Schwartz, deceased. Superior Court, San Francisco County, Calif. No. 101928.	44.00	Joseph Ounapuu.....	do.....	Item 200 Same.....	22.00
Maria Gotelli.....	Italy.....	Item 182 Estate of Domenico Pag- antini, deceased. Supe- rior Court, San Fran- cisco County, Calif. No. 90592.	20.00	Arthur Willis Woods.....	Philippine Islands..	Item 201 Estate of Charlotte L. Woods, deceased. Supe- rior Court, Los Ange- les County, Calif. No. LB P-10085.	111.00
Alfonso Zinni.....	do.....	Item 183 Estate of Nicholas Zinni, deceased. Superior Court, San Francisco County, Calif. No. 92742.	31.50	Jose R. Masonicich.....	Yugoslavia.....	Item 202 Estate of Make Masonicich, a/k/a Milo R. Mason and Milko Masovich, deceased. Superior Court, Alameda Coun- ty, Calif. No. 85276.	21.00
Maria Pasquini.....	do.....	Item 184 Same.....	31.50	Kole Masonicich.....	do.....	Item 203 Same.....	21.00
Antonio Perottino.....	do.....	Item 185 Estate of Giovanni Perot- tino, deceased. Superior Court, San Francisco County, Calif. No. 93758.	15.00	Marinus Christensen.....	Denmark.....	Item 204 Estate of Robert Marinus Christensen, deceased. Superior Court, Los Angeles County, Calif. No. 231253.	00.00
Guisppina Perottino.....	do.....	Item 186 Same.....	15.00				

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Fermina S. Salamanca	Philippine Islands	Item 205 Estate of Oristobal S. Salamanca, deceased. Superior Court, Alameda County, Calif. No. 83521.	\$18.00	Rene Marie Pasquet	France	Same Item 227	\$103.05
Paulina S. Salamanca	do	Same Item 206	18.07	Jean Ompraret	do	Same Item 223	\$157.59
Celerina S. Salamanca	do	Same Item 207	18.07	Anselme Ompraret	do	Same Item 229	157.03
Mildred Meta Hansen	Denmark	Item 208 Estate of Melchior Hansen, deceased. Superior Court, Fresno County, Calif. No. 18470.	153.00	Pierre Ompraret	do	Same Item 210	157.53
Leonilda Zanotti and heirs of Enrico Zanotti	Italy	Item 209 Estate of Enrico Zanotti, deceased. Superior Court, San Francisco County, Calif. No. 98823.	71.00	Armand Ompraret	do	Same Item 231	157.53
Johanne Sophie Christensen	Denmark	Item 210 Estate of Caroline W. Jorgensen, deceased. Superior Court, Los Angeles County, Calif. No. LB P-14332.	104.00	Marie Lukacova	Czechoslovakia	Item 232 Estate of Joe Lukes, deceased. Superior Court, Los Angeles County, Calif. No. 242435.	97.00
Yliane Remy	France	Item 211 Estate of Gergette Labaudt, deceased. Superior Court, San Mateo County, Calif. No. 10264.	50.00	Marie Pagliaroli	Italy	Item 233 Estate of John Pagliaroli, deceased. Superior Court, Los Angeles County, Calif. No. 233311.	37.00
Mrs. Alvyne Mason-neuve	do	Same Item 212	50.00	Giuseppe Cardono	do	Item 234 Estate of Joe Cardono, deceased. Superior Court, San Mateo County, Calif. No. 12173.	33.00
Martin Valdez	Philippine Islands	Item 213 Estate of Silberto M. Valdez, deceased. Superior Court, San Francisco County, Calif. No. 88760.	50.00	Marie Cardono	do	Same Item 235	33.00
Ernest Trarbach	France	Item 214 Estate of Paul Joseph Trarbach, deceased. Superior Court, Los Angeles County, Calif. No. SM P-1575.	23.00	Marie Planted Merzanti	do	Item 237 Estate of Alberto Merzanti, deceased. Superior Court, San Francisco County, Calif. No. 191650.	23.00
Georges Denis Trarbach	do	Same Item 215	23.00	Giuliano Merzanti	do	Same Item 237	5.00
Henry Trarbach	do	Same Item 216	23.00	Christoforo Merzanti	do	Same Item 233	5.00
Marthe Henriette Trarbach	do	Same Item 217	23.00	Antonio Merzanti	do	Same Item 239	5.00
Lucie-Colette Trarbach	do	Same Item 218	23.00	Francesco Merzanti	do	Same Item 240	5.00
Jean Trarbach	do	Same Item 219	23.00	Angelo Merzanti	do	Same Item 241	5.00
Octavia Amelie Toulousey	do	Item 220 Estate of Marie Lanoff, deceased. Superior Court, San Francisco County, Calif. No. 85-253.	132.00	Nielsine Madsen	Denmark	Item 242 Estate of Rasmus Rasmussen, deceased. Superior Court, Fresno County, Calif. No. 19045.	120.00
Anselme Ompraret	do	Item 221 Estate of Pierre Ompraret, deceased. Superior Court, Santa Clara County, Calif. No. 27-949.	603.32	Elihn Bennedson (neo Rasmussen)	do	Same Item 243	43.24
Noel Lascurettes	do	Item 222 Same	103.05	Marie Petersen (neo Rasmussen)	do	Same Item 244	43.33
Jean Baptiste Lascurettes	do	Item 223 Same	103.00	Kirsten Jensen (neo Rasmussen)	do	Item 245 Estate of Rasmus Rasmussen, deceased. Superior Court, Fresno County, Calif. No. 19045.	43.33
Leon Lascurettes	do	Item 224 Same	103.00	Gergio Glampanelli	Italy	Item 246 Estate of Valente Glampanelli, deceased. Superior Court, Fresno County, Calif. No. 19157.	13.00
Henri, a/k/a Anselme Lascurettes	do	Item 225 Same	103.00	Cesare Glampanelli	do	Same Item 247	13.00
Marie Jeanne Arnulou	do	Item 226 Same	103.05	Annita Glampanelli	do	Same Item 248	13.00

NOTICES

Exhibit A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Antoinette Heslaurin	France	Item 249 Estate of Joseph F. Perini, deceased. Superior Court, San Francisco County, Calif. No. 89500.	\$4.39	Josephine Vitetta	Italy	Item 268 Estate of Antonio Barrello, deceased. Superior Court, Fresno County, Calif. No. 18650.	\$42.00
Louisa Levillain	do.	Item 250 Same	4.39	Mary Schiavoni	do.	Item 269 Same	42.00
Yvonne Levillain	do.	Item 251 Same	4.39	Vittorio Fruzzetti	do.	Item 270 Estate of Michelo Fruz- zetti, deceased. Supe- rior Court, Alameda County, Calif. No. 68693.	40.00
Mary Levillain	do.	Item 252 Same	81.83			Item 271 Estate of Vittoria Griffero, a/k/a Victor Griffero, deceased. Superior Court, San Francisco County, Calif. No. 97760.	7.10
Paulina Bava	Italy	Item 253 Estate of Egidio Bava, a/k/a Egidio Paolo Bava and Egidio P. Bava, de- ceased. Superior Court, San Francisco County, Calif. No. 95175.	31.00	Giuseppe Griffero	do.	Item 272 Same	7.67
Giovanni Bormida	do.	Item 254 Estate of Cesare Bormida, a/k/a Caesar Bormida, deceased. Superior Court, San Francisco County, Calif. No. 98142.	6.60	Maddalena Griffero	do.	Item 273 Same	7.67
Mario Bormida	do.	Item 255 Same	6.60	Giuseppe Gussardo	do.	Item 274 Same	7.67
Margaret Bormida	do.	Item 256 Same	6.60	Lucia Gentile	do.	Item 275 Same	7.67
Bina Bormida	do.	Item 257 Same	6.60	Zita Bruzzzone	do.	Item 276 Estate of Vittorio Griffero, a/k/a Victor Griffero, deceased. Superior Court, San Francisco County, Calif. No. 97760.	7.67
Lina Bormida	do.	Item 258 Same	6.60	Maddalena Sciutto	do.	Item 277 Same	7.67
Amalia Molnes	Norway	Item 259 Estate of John M. Staf- seth, deceased. Supe- rior Court, Los Angeles County, Calif. No. 226597.	41.33	Rosita Bisagno	do.	Item 278 Same	7.67
Jakobla Christensen	do.	Item 260 Same	41.33	Helene Loux	France	Item 279 Estate of Angele O. Kara- tar, deceased. Superior Court, San Mateo Coun- ty, Calif. No. 11717.	17.12
Gina Roald Vigero	do.	Item 261 Same	41.34	Suzanne Loux	do.	Item 280 Same	17.11
Antonia Bovetti	Italy	Item 262 Estate of Stefano Bovetti, deceased. Superior Court, San Joaquin County, Calif. No. 17766.	114.00	Juliette Loux	do.	Item 281 Same	17.11
Henning Hansen Chris- tensen.	Denmark	Item 263 Estate of Louis Christen- sen, deceased. Supe- rior Court, Fresno Coun- ty, Calif. No. 17633.	20.00	Eliza Stauffer	do.	Item 282 Same	17.11
Andreassine Povline Jor- gensen.	do.	Item 264 Same	20.00	Lina Morel	do.	Item 283 Same	17.11
Maren Christensen	do.	Item 265 Estate of Louis Christen- sen, deceased. Superior Court, Fresno County, Calif. No. 17633.	20.00	Denice Horn	do.	Item 284 Same	17.11
Anna Marie Sofie Chris- tiansen.	do.	Item 266 Same	10.00	Maurice Bernard	do.	Item 285 Same	17.11
Mads Henning Chris- tensen.	do.	Item 267 Same	10.00	Berthe Voltz-Loux	do.	Item 286 Same	17.11
				Elize Loux	do.	Item 287 Same	17.11

[F. R. Doc. 48-5191; Filed, June 9, 1948; 8:56 a. m.]

[Vesting Order CE 448]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN COURTS IN WASHINGTON, OREGON, ARIZONA, OKLAHOMA, COLORADO, NEW MEXICO, MONTANA, UTAH, AND IDAHO COURTS

Under the authority of the Trading With the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said

Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A oppo-

site such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning

prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>				<i>Item 16</i>	
Camel Schram.....	Belgium.....	Estate of Edward Schram, deceased, Superior Court of the State of Washington, in and for the County of Franklin.	\$45.00	August Widgar.....	Yugoslavia.....	Estate of Frank Widgar, deceased, Superior Court of the State of Washington, in and for the County of King; No. 8270.	\$37.00
Matilde Schram Googe.....	do.....	Same.....	45.00			<i>Item 17</i>	
Sivia Schram Googe.....	do.....	Same.....	45.00	Globetta Floram.....	Italy.....	Estate of Jake Floram, also known as Angelo Floram, deceased, Superior Court of the State of Washington, in and for the County of King; No. 7209.	106.25
Mats Henrik Sorbo.....	Norway.....	Estate of Knut Sorbo, deceased, in the Superior Court of the State of Washington, in and for the County of Pierce; No. 36131.	49.00			<i>Item 18</i>	
		<i>Item 6</i>		Carolina Floram.....	do.....	Same.....	106.25
Peter J. Drange.....	do.....	Estate of Olaf J. Drange, deceased, in the Superior Court of the State of Washington, in and for the County of King; No. 77094.	22.20	Emilio Floram.....	do.....	Same.....	106.25
		<i>Item 6</i>		Pietro Floram.....	do.....	Same.....	106.25
Agatha J. Drange.....	do.....	Same.....	22.20	Giuseppina Floram.....	do.....	Same.....	106.25
Hers of Johannes J. Drange, names unknown.	do.....	Same.....	22.20	Maria Floram.....	do.....	Same.....	106.25
Kristine J. Drange.....	do.....	Same.....	22.20	Giuseppe Floram.....	do.....	Same.....	106.25
Anetha J. Drange.....	do.....	Same.....	22.20	Luigia Balus Costaperrari.	do.....	Same.....	106.25
		<i>Item 10</i>				<i>Item 25</i>	
Adele Onards.....	Austria.....	Estate of Charles Schiffrer, deceased, in the Superior Court of the State of Washington, in and for the County of Spokane; No. 38872.	31.00	Adeline Nigro.....	do.....	Estate of Antonio and Carmela Colosoni, deceased, Superior Court, Spokane County, Washington; No. 33304.	32.00
		<i>Item 11</i>				<i>Item 26</i>	
Hermine Huber.....	do.....	Same.....	31.00	Stanley Piskerowski.....	Poland.....	Estate of Rosa Boski, deceased, Superior Court of the State of Washington in and for the County of Spokane; No. 33703.	12.00
		<i>Item 12</i>				<i>Item 27</i>	
Aida Cantarini.....	Italy.....	Estate of Mary Ruffino, deceased, Superior Court of the State of Washington, in and for the County of Pierce; No. 37695.	42.00	Blazy Piskerowski.....	do.....	Same.....	12.00
		<i>Item 13</i>		Sophia Micholaki.....	do.....	Same.....	26.00
Pajo Obradovic.....	Yugoslavia.....	Estate of Samuel M. Obradovich, deceased, Superior Court, King County, State of Washington; No. 88941.	20.00	Michael Wus.....	do.....	Same.....	8.00
		<i>Item 14</i>		Jedrzej Wus.....	do.....	Same.....	8.00
Mandie Nane.....	do.....	Same.....	20.00	Peter Wus.....	do.....	Same.....	8.00
Vasiljevic Gospava.....	do.....	Same.....	20.00			<i>Item 31</i>	
		<i>Item 15</i>		Mrs. Peter Jorgensen, Hans Andersen, Jorgan Jorgensen and Hans Hansen or their respective surviving issue.	Denmark.....	Estate of Peter Christensen, Superior Court of the State of Washington, in and for the County of Douglas; No. 1811.	62.00

NOTICES

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Berglioth (Akus) Amundsen.	Norway-----	<i>Item 53</i> Estate of Axel E. Amundsen, deceased, in the County Court for the State of Jackson County; No. 7435.	\$107.00	Vic Padar-----	Yugoslavia-----	<i>Item 51</i> Estate of Francis Hochewar, deceased, County Court, Mesa County, State of Colorado; No. 4153.	\$24.00
Mary Salvatico-----	Italy-----	<i>Item 54</i> Estate of Battista Allasia, deceased, Circuit Court of the State of Oregon for the County of Multnomah; No. 50641.	75.00	Rossolino Miceli-----	Italy-----	<i>Item 52</i> Estate of Frank Micella, also known as Francesco Miceli, deceased, County Court, Montezuma County, Colo.	20.00
Spett Società Anonima Di Sicurtà Fra Armatori.	do-----	<i>Item 55</i> Pacific Salvage Co. vs. Italian Motorship Felte, etc., in the U. S. District Court, Portland, Oreg.; No. 22460-G.	103.00	Concetta Miceli-----	do-----	<i>Item 53</i> Same-----	20.00
Yotsuya Mission of Tokyo.	Japan-----	<i>Item 56</i> Estate of Mary Edna McFarland, deceased, Circuit Court of the State of Oregon, for the County of Lane.	49.00	Phillipi Torrisi-----	do-----	<i>Item 54</i> Estate of Nunzia Longi, deceased, in the County Court for the City and County of Denver, Colo., No. 65997.	24.75
Stine Nielsen-----	Denmark-----	<i>Item 57</i> Estate of Soren Hansen, deceased, Circuit Court, State of Oregon for the County of Malheur.	70.00	Francesco Torrisi-----	do-----	<i>Item 55</i> Same-----	24.75
Marie Hansen-----	do-----	<i>Item 58</i> Same-----	14.00	Giovanni Torrisi-----	do-----	<i>Item 56</i> Same-----	24.75
Julia Hansen Morgen-	do-----	<i>Item 59</i> Same-----	14.00	Rosa Asti-----	do-----	<i>Item 57</i> Same-----	24.75
Anna Hansen Risse-----	do-----	<i>Item 40</i> Same-----	14.00	Guiseppa Bongiorno-----	do-----	<i>Item 58</i> Estate of Anthony Picone, also known as Anthony Picone, Jr., also known as Antonio Picone, deceased, in the County Court of Denver County, Colo., No. 73523.	8.00
Niels Hansen-----	do-----	<i>Item 41</i> Same-----	14.00	Caterina Bongiorno-----	do-----	<i>Item 59</i> Same-----	8.00
Marius Hansen-----	do-----	<i>Item 42</i> Same-----	14.00	Nannina Bongiorno-----	do-----	<i>Item 60</i> Estate of Anthony Picone, also known as Anthony Picone, Jr., also known as Antonio Picone, deceased, in the County Court of Denver County, Colo. No. 73523.	8.00
Vaso L. Jovanovich-----	Yugoslavia-----	<i>Item 43</i> Estate of Lee L. Jovanovich, deceased, Superior Court of the State of Arizona, in and for the County of Cochise; No. 4849.	112.00	Terzita Bongiorno-----	do-----	<i>Item 61</i> Same-----	8.00
Peter Puhara-----	do-----	<i>Item 44</i> Estate of Blas Puhara, deceased, Superior Court, State of Arizona, Gila County; No. 2444-C.	96.00	Cristina Bongiorno-----	do-----	<i>Item 62</i> Same-----	8.00
Christophili Economou.	Greece-----	<i>Item 45</i> Estate of William Eco, deceased, in the County Court in and for Stephens County, Okla., No. 2055.	40.00	Teresa Anselmi-----	do-----	<i>Item 63</i> Estate of Joseph Borzago, deceased, in the County Court, in and for the County of Gilpin, State of Colo. No. 1077.	7.00
Eduard Fischbach-----	Luxembourg-----	<i>Item 46</i> Estate of John Fischbach, deceased, in the County Court, Rio Grande County, Colo.	19.00	Viola Paniza-----	do-----	<i>Item 64</i> Same-----	7.00
Margurite Fischbach-----	do-----	<i>Item 47</i> Same-----	19.00	Roberto Flor-----	do-----	<i>Item 65</i> Same-----	7.00
Maria Fischbach-----	do-----	<i>Item 48</i> Estate of John Fischbach, deceased, in the County Court, Rio Grande County, Colo.	19.00	Viola Visintini-----	do-----	<i>Item 66</i> Same-----	7.00
Jean Fischbach-----	do-----	<i>Item 49</i> Same-----	19.00	Ernesto Borzago-----	do-----	<i>Item 67</i> Same-----	7.00
Francois Fischbach-----	do-----	<i>Item 50</i> Same-----	19.00	Guilippe Borzago-----	do-----	<i>Item 68</i> Same-----	7.00
				Emilio Borzago-----	do-----	<i>Item 69</i> Same-----	7.00
				Emilia Borzago Bertoldi.	do-----	<i>Item 70</i> Same-----	7.00
				Luigi Borzago-----	do-----	<i>Item 71</i> Same-----	7.00
				Maria Borzago-----	do-----	<i>Item 72</i> Same-----	7.00

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Barbara Groff Mattiva	Yugoslavia	Item 73 Estate of Antonio Groff, deceased, in the County Court of Ouray County, State of Colorado.	\$10.00	Isadora-Giovanni Mengon	Italy	Item 60 Estate of Isadora Mengon, deceased, in the District Court of Second Judicial District of the State of Montana, in and for the County of Silver Bow, No. 11677—Continued.	\$9.17
Rosina Groff Dallapiccola	do	Item 74 Same	9.10	Guido-Fortunato Mengon	do	Item 61 Same	9.15
Enrico Groff	do	Item 75 Same	9.10	Giuseppe Stefano Mengon	do	Item 62 Same	9.15
Mme. Vve Ed Bernardin	France	Item 76 Estate of Michael Dumarest, deceased, Probate Court in the State of Mexico, in and for the County of Bernalillo, No. 5042.	21.00	Teodora Mengon	do	Item 63 Estate of Peter Mengon, deceased, in the District Court of the Second Judicial District of the State of Montana, in and for the County of Silver Bow, No. 12353.	13.00
Mlle. Clemence Dumarest	do	Item 77 Same	21.00	Domenica Mengon	do	Item 64 Same	13.00
Mlle. Annie Bernardin	do	Item 78 Same	21.00	Antonio Mengon	do	Item 65 Same	13.00
Agostino Casna	Italy	Item 79 Estate of Bruno Casna, deceased, Probate Court in and for the County of McKinley and State of New Mexico, No. 713.	20.24	Isadora Mengon	do	Item 66 Same	13.00
Ermisia Casna Capellozza	do	Item 80 Same	20.33	Guido Fortunato Mengon	do	Item 67 Same	13.00
Ermes Casna	do	Item 81 Same	20.33	Giuseppe S. Mengon	do	Item 68 Same	13.00
Irene Chiocchi	do	Item 82 Estate of Sante Chiocchi, deceased, District Court of Second Judicial District, State of Montana, in and for the County of Silver Bow, No. 11222.	0.00	Maria Antonia Calcoo	do	Item 69 Estate of Genaro Calcoo, deceased, District Court of Salt Lake County, State of Utah, Probate Division, No. 23333.	13.00
Cecilia Chiocchi	do	Item 83 Same	0.00	Armarinda Calcoo	do	Item 100 Same	13.00
Vincenzo Chiocchi	do	Item 84 Same	0.00	Filomena Calcoo	do	Item 101 Estate of Genaro Calcoo, deceased, District Court of Salt Lake County, State of Utah, Probate Division, No. 23333.	13.00
Luigi Chiocchi	do	Item 85 Same	0.00	Knud Sorenson	Denmark	Item 102 Estate of Nils Thomsen, deceased, Probate Court, Bingham County, State of Idaho.	23.00
Onda Chiocchi	do	Item 86 Same	0.00	Karl Sorenson	do	Item 103 Same	23.00
Domenica Mengon	do	Item 87 Estate of Isadora Mengon, deceased, in the District Court of Second Judicial District of the State of Montana, in and for the County of Silver Bow, No. 11677.	9.17	Nils Svenson	do	Item 104 Estate of Bettie Anderson Peterson, deceased, in the Superior Court, in the State of Washington, in and for the County of Wahkiakum, No. 725.	20.00
Antonio Mengon	do	Item 88 Same	9.17				
Teodora Mengon	do	Item 89 Same	9.17				

[F. R. Doc. 48-5192; Filed, June 9, 1948; 8:53 a. m.]

[Vesting Order CE 449]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MICHIGAN, CALIFORNIA, ILLINOIS, IOWA, INDIANA, MINNESOTA, OHIO, AND WISCONSIN COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto

and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession

of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>				<i>Item 23</i>	
Marie Furelid.....	Norway.....	Estate of Theodore Wefring, deceased. Probate Court, Wayne County, State of Michigan. No. 326704.	\$5.00	Margot Tunheim.....	Norway.....	Ness v. Lunde, Circuit Court of Ford County, Ill. In Chancery. No. 2918.	\$11.00
Ola Grytten.....	do.....	<i>Item 2</i>	5.00	Britha Frette.....	do.....	<i>Item 24</i>	33.50
Kar IGrytten.....	do.....	<i>Item 3</i>	5.00	Olive Storesund also known as Olava Storesund.	do.....	<i>Item 25</i>	67.00
Inga Grytten.....	do.....	<i>Item 4</i>	25.00	Theresa Johannessen, also known as Theresa Johansen.	do.....	<i>Item 26</i>	67.00
Henrik Grytten.....	do.....	<i>Item 5</i>	5.00	Lenhard Tjarandsen, also known as Leonard Tjarandsen.	do.....	<i>Item 27</i>	67.00
Olaf Grytten.....	do.....	<i>Item 6</i>	5.00	Roger Georges Picard.....	France.....	<i>Item 28</i>	93.00
Alfons Frankfurter.....	Yugoslavia.....	<i>Item 7</i>	28.00			Estate of Roger Georges Picard, a minor. Probate Court, Cook County, Ill. No. 88754.	
Ruth Frankfurter Lowy.....	do.....	<i>Item 8</i>	28.00	Carl Findsen.....	Denmark.....	<i>Item 29</i>	12.33
Mathilde Catherine Mattison Lund.....	Denmark.....	<i>Item 9</i>	25.00			Estate of Jorgen Adolph Findsen, deceased, in the District Court of Iowa, in and for Shelby County, Harlan, Iowa. No. 6332.	
Peter Olsen.....	do.....	<i>Item 10</i>	35.00	Find L. Findsen.....	do.....	<i>Item 30</i>	12.32
Marie (Mary) Olsen.....	do.....	<i>Item 11</i>	35.00	Ingeborg Jaegerlund.....	do.....	<i>Item 31</i>	12.32
Anna Ness Vallacer.....	Norway.....	<i>Item 12</i>	52.00	Ejner Findsen.....	do.....	<i>Item 32</i>	12.32
Marie Ness.....	do.....	<i>Item 13</i>	52.00	Jens Albert Findsen.....	France.....	<i>Item 33</i>	12.32
Alice Ness.....	do.....	<i>Item 14</i>	52.00	Kirsten Langberg Nielsen.	Denmark.....	<i>Item 34</i>	12.33
Ole Ness.....	do.....	<i>Item 15</i>	52.00	Alma Caroline Madsen or Thyra Aage Alsos.	do.....	<i>Item 35</i>	60.00
Lars Ness.....	do.....	<i>Item 16</i>	52.00			Estate of Tine Paulsen, deceased. District Court of Iowa in and for Pottawattamie County, Council Bluffs, Iowa. No. 11478.	
Thomas Ness.....	do.....	<i>Item 17</i>	72.00	Marie N. Hassari or her heirs at law.	Greece.....	<i>Item 36</i>	75.00
Margarethe Bjorgo.....	do.....	<i>Item 18</i>	33.50			Emanuel Kocariotis, also known as Mike Kocariotis v. Margitta N. Hassari, Gary State Bank Corp., as trustee, and the Gary State Bank, Superior Court, Lake County, Ind.	
Olena Tine also known as Olena Tiena.	do.....	<i>Item 19</i>	33.50	Rozalia Tobiczky.....	Poland.....	<i>Item 37</i>	35.00
Sjur Lunde.....	do.....	<i>Item 20</i>	33.50			Estate of Trofil Gorecki, deceased. Probate Court, Wayne County, State of Michigan. No. 315503.	
Karen Tunheim.....	do.....	<i>Item 21</i>	11.00	Jan Keslik.....	Czechoslovakia.....	<i>Item 38</i>	42.00
Holger Tunheim.....	do.....	<i>Item 22</i>	11.00			Estate of Mary Keslik Curtis, deceased. Probate Court for Van Buren County, Paw Paw, Mich. No. 13659.	
				Thor Sulland.....	Norway.....	<i>Item 39</i>	30.00
						Estate of Peder Sulland, deceased. Probate Court, Clearwater County, Minn.	

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested	Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Iona R. Lawrence Fernstrom.	Italy.....	Item 40 Anna T. Lawrence Drackett v. Ray C. Smith et al. District Court, Fourth Judicial District, County of Hennepin, Minn.	\$72.00	Jakob Marius Kristensen.	Denmark.....	Item 53 Estate of Rasmus Christensen, deceased. County Court of Racine County, Wis.	\$17.95
Konstantinos G. Kekos.	Greece.....	Item 41 Estate of Louise G. Kekos, deceased. Probate Court, Hennepin County, Minn.	5.71	Svend Kristian Kristensen.	do.....	Item 54 Same	17.85
Paraskevi Kekos.	do.....	Item 42 Same	5.70	Niels Nielsen.	do.....	Item 55 Same	11.00
Helen Anargyrou.	do.....	Item 43 Same	5.70	Jakob Nielsen.	do.....	Item 56 Same	11.90
Penelope Synos.	do.....	Item 44 Same	5.70	Marius Nielsen.	do.....	Item 57 Same	11.90
Nicholas G. Kekos.	do.....	Item 45 Same	5.70	Athanasios Stathopoulos.	Greece.....	Item 58 Estate of Nick Sakas, deceased. County Court, Eau Claire County, Wis.	17.67
Christina DelMatto.	Italy.....	Item 46 Estate of Michele DelMatto, deceased. Probate Court, Summit County, Ohio.	20.00	Angeliki Barhamas.	do.....	Item 59 Same	17.67
Dante DelMatto.	do.....	Item 47 Same	20.00	Helen Angelopoulos.	do.....	Item 60 Same	17.65
Marko Sajatovic.	Yugoslavia.....	Item 48 Estate of Mary Popovic, deceased. Probate Court, Cuyahoga County, State of Ohio.	21.00	Helen, names unknown, within Rumania of John Matzak, deceased.	Rumania.....	Item 61 Estate of John Matzak, deceased. County Court of Milwaukee County, State of Wisconsin. No. 231233.	25.00
Andja Badovinak.	do.....	Item 49 Same	21.00	Milla Ghahakakis.	Greece.....	Item 62 Estate of Aristedes A. Rokas, deceased. Probate Court of Cook County, Chicago, Ill.	25.00
Andja Kosica.	do.....	Item 50 Same	16.00	Ghena Stamatopoulos.	do.....	Item 63 Same	25.00
Marie Popovic.	do.....	Item 51 Same	5.00				
Marta Rudman.	do.....	Item 52 Same	5.00				

[F. R. Doc. 48-5193; Filed, June 9, 1948; 8:56 a. m.]

[Vesting Order 11218]

CARL EICKENBERG

In re: Voting trust certificates owned by Carl Eickenberg. F-28-26452-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Eickenberg, whose last known address is Stein St. 4, Haan, Rhineland, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Two (2) voting trust certificates representing 110 shares of Class A stock of Susquehanna Silk Mills, in Dissolution, 404 Fourth Avenue, New York 16, New York, said certificates numbered 63 and 3452 for 15 and 95 shares, respectively, registered in the name of Carl Eickenberg, together with any and all rights thereunder and thereto, and all rights of exchange thereof for common stock of Susquehanna Mills, Inc., and any declared and unpaid dividends thereon, together with all cash distributions pres-

ently held by the City Bank Farmers Trust Company, 22 William Street, New York 15, New York, as liquidating agent for the aforesaid Susquehanna Silk Mills, in Dissolution,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-5173; Filed, June 9, 1948; 8:53 a. m.]

[Vesting Order 11223]

ROBERT HOHN

In re: Stock owned by Robert Hohn. F-28-25803-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Robert Hohn whose last known address is Germany, is a resident

of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: Eighteen (18) shares of no par value common stock of International Harvester Company, 180 N. Michigan Avenue, Chicago 1, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered FC-17680 and FC-22405 for 10 and 8 shares, respectively, and registered in the name of Robert Hohn, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5174; Filed June 9, 1948;
8:53 a. m.]

[Vesting Order 11273]

FRANZ J. DOMMERQUE

In re: Trust under the will of Franz J. Dommerque, deceased. File No. F-28-2207 E. T. sec. 7922.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Grawe, Johanna Kremer, Hans Gerd Rademacher and Beata Rademacher, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That Karl Josef Lenz, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 and 2 hereof in and to the trust created under the will of Franz J. Dommerque, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by John Giblon as Trustee, acting under the judicial supervision of the Ocean County Orphans' Court, Toms River, New Jersey

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5175; Filed, June 9, 1948;
8:54 a. m.]

[Vesting Order 11350]

KOEHNHORN, MENTZEL, WIRTH,
PUCHBERGER

In re: Debts owing to Koehnhorn, Mentzel, Wirth, Puchberger, also known as Koehnhorn, Mentzel & Wirth. F-28-23193-C-1, F-28-23193-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Koehnhorn, Mentzel, Wirth, Puchberger, also known as Koehnhorn, Mentzel & Wirth, the last known address of which is Grossbeerenstrasse 93, Berlin SW11, Germany, is a corporation, part-

nership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany),

2. That the property described as follows:

a. That certain debt or other obligation owing to Koehnhorn, Mentzel, Wirth, Puchberger, also known as Koehnhorn, Mentzel & Wirth, by Otto Munk, 41 Park Row, New York 7, New York, in the amount of \$226.80, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Koehnhorn, Mentzel, Wirth, Puchberger, also known as Koehnhorn, Mentzel & Wirth, by Langner Parry Card & Langner, 120 East 41st Street, New York 17, New York, in the amount of \$7.91, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-5183; Filed, June 9, 1948;
8:55 a. m.]